

SAVING THE RAINFOREST
The NSW Campaign 1973 – 1984

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I dedicate this egotistical but uniquely historical account to my five grandchildren –
Emily, Kate, Jane, Ian and Andrew.

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it is the only thing that ever has.

Margaret Mead

Any repressive measures by authority against a social movement is like wind against a kite – the stronger the wind blows, the higher the kite flies.

We don't inherit the earth from our parents; we borrow it from our children.

No generation exists for the present alone; each has a responsibility to those which follow.

In wilderness is the preservation of the world.

Henry David Thoreau

Nature has rights beyond its value to humans.

Logging a virgin forest can only be called rape.

There is nothing more difficult to take in hand, more perilous to conduct, or more uncertain of success than to take a lead in the introduction of a new order of things, because the innovation has for enemies all those who have done well under the old conditions and lukewarm defenders in those who may do well under the new.

Machiavelli

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Preface

Although I joined the Coast and Mountain Walkers Club in 1936, my interest in the conservation of our bushland only began in 1944 when, aged 29, I was appointed by the Minister for Lands as a bushwalker representative on the Heathcote Primitive Area Trust of which Myles Dunphy, widely recognised as the father of conservation in Australia, was the indefatigable Secretary. Apart from my duties as Treasurer, this involved six meetings and six field trips a year until, in 1967, the Trust was taken over by the newly constituted National Parks and Wildlife Service whereupon we became members of an Advisory Committee.

During much of this period I was a member of the National Parks Association (NPA) and for 12 years served as Treasurer of the Nature Conservation Council (NCC), but it was through the dynamic Colong Committee, set up by the Total Environment Centre (TEC) that I became associated with Milo Dunphy, the radical activist son of Myles. At his invitation I attended the inaugural meeting of the Committee in May 1968, which was formed to oppose the quarrying of 50 million tons of limestone near Mt Colong in the Blue Mountains. After an exciting seven year campaign, the battle against Blue Circle, the world's largest cement company, was won, but rather than disband the members of the Committee decided to campaign for a large rainforest National Park on the NSW/Queensland border.

On my 60th birthday on 12 July 1975, I retired from Qantas Airways Ltd after a lifetime spent improving the financial efficiency of Australia's international airline. Two weeks later, while holidaying in Alaska beside the mighty Denali, the highest mountain in North America, I decided that my main retirement activity would be to prevent the

NSW Forestry Commission from logging the virgin rainforest on Levers Plateau which was a mere five percent of the Border Ranges National Park proposed by the Colong Committee of which I was now a Director. During a Honolulu stop-over on my way home, I wrote to Jack Henry, Commissioner for Forests, telling him of my decision and a month later took him to lunch. To my dismay he told me that my personal project was doomed because the Minister for Forests had recently promised the timber on the Plateau to the local sawmill and the road up to it was about to be constructed.

Undaunted, the Colong Committee campaigned long and hard, but it was the election of a Labor Government led by a sympathetic Neville Wran which saved Levers Plateau. Unfortunately, two years later, in a vain attempt to solve the worrying campaign for a Border Ranges National Park, the same Labor Cabinet decided to log Grady's Creek Flora Reserve instead and I therefore changed my personal project to saving it.

This record is both a personal ego trip and a comprehensive history of the longest and most important conservation campaign in the history of the State. As a Director of the Colong Committee I was in a unique position to record its progress and I did so initially by writing with Alex Colley a 50 page booklet entitled *How the Rainforest was Saved* in 1983. Although the campaign has been reported in five books on the Australian environment movement, most have been brief and all lack the detailed documentation which this record provides.

It was once truly said that "success has a thousand parents, failure is an orphan".

Readers of this account should not conclude that I played a major part; the leading players in the voluntary conservation movement were undoubtedly Milo Dunphy and Peter Prineas, the executive officers of TEC and NPA respectively. In the interest of

equity I have endeavoured to name others who played important roles, but with only limited success as the cast was literally one of thousands.

In order to achieve authenticity I have named the authors of all direct quotations.

However, because the prose was better than anything I could devise, some descriptive material has been plagiarised. As this account will not be widely distributed, I hope posterity will forgive me!

During the 10 year campaign we were, of course, completely unaware that we were fighting to save forests which, because of their outstanding universal value, were later to be placed on the World Heritage List. Regrettably the official nomination to UNESCO virtually ignores the long hard fight for preservation of rainforest, giving the quite erroneous impression that both State and Federal Governments were sympathetic to the idea of preservation.

Looking back on my long life, saving the rainforest in Grady's Creek seems now to have been my most worthwhile accomplishment for had I not acted as I did when the situation seemed hopeless, it would have been logged and thus denied its rightful place on the World Heritage List and I would not have received an award (AM) in the Order of Australia for services to conservation.

Chapter 1 – Rainforests

Rainforests are nature's pinnacle of achievement because of their ecological diversity, their magnificent luxuriance and their scientific importance. Beneath the closed canopy lies a moist shaded world of great beauty and unsurpassed biological richness. They cover about seven percent of the earth's surface, have been around for 70 million years and have yielded foods such as coffee and chocolate as well as the raw materials for about a quarter of our medicines.

While some scientists deplored the unsustainable rate of exploitation during the 1950's and 1960's, it was not until the 1970's that rainforest became the centre of a major conservation battle both here and overseas. Although it is now a motherhood word with everyone understanding the need to protect what little remains, this was not the case in Australia when this campaign began. Apart from those involved in forestry, the word "rainforest" was virtually unknown. Even in the embryonic conservation movement there was no public awareness in the early 1970's that if logging continued in NSW at the then current rate, all would be gone by 2000. It constituted only 1.7% of NSW forests. The huge lowland rainforests of the far North Coast had long been cleared for agriculture but in the early part of the 20th century the Forestry Commission, overcoming strong opposition, succeeded in persuading the Government to dedicate the smaller highland rainforests as State Forests.

The history of rainforest logging in NSW is one of destruction; firstly by cedar getters, then by farmers and finally by the Forestry Commission whose policy until recently has been unsustainable exploitation. From the establishment of the Commission in 1916, timber mills were licensed to operate on an area basis applying minimum environmental

controls and having no regard to sustainability. In order to improve royalty income, a quota system was introduced in 1953 but over the next 20 years the mining of the forests continued unabated because of the effect any quota reduction would have on the nearby towns and the inability of the Commission to withstand political pressure.

A rainforest inventory carried out by the Commission in 1981 showed that the NSW total was 253,000 hectares (ha) of which 73% was in State Forests, 13% in National Parks and 14% in private property. Only 54% was “virtually undisturbed”.

Those involved in the industry and the regulatory authority all knew that at the current rate of logging the resources in the 185,000 ha in State Forests would soon be exhausted. When the emerging conservation movement highlighted the problem by demanding that the largest remaining virgin rainforest become a National Park, the Forestry Commission responded by publishing in 1976 *Indigenous Forest Policy* which confirmed their intention to “phase out rainforest logging subject to existing commitments”. As my research clearly showed that the phasing out would result in the logging of all their remaining rainforests, I determined to publicise this official duplicity.

Aware by 1979 that this policy was merely official obfuscation, conservation groups on the North Coast as well as Sydney began to demand a moratorium on all rainforest logging, not just the Border Ranges. The emotional campaign which then developed was primarily because of expected job losses. It was unnecessarily complicated by the Forestry Commission definition of rainforest which excluded what they preferred to call moist hardwood areas where eucalypts such as brush box grew. Although implicit in

the very name of the tree (a box growing in the brush, the original Australian name for rainforest), the Commission steadfastly maintained that such an area was not rainforest. This perversity ultimately resulted, in the Terania Inquiry, of a Judge with absolutely no botanical knowledge, deciding this contentious issue in the Commission's favour, but by the time he presented his report the campaign had moved on and he was ignored.

To its credit the Forestry Commission did initiate research into the regeneration of logged virgin rainforest in the early 1960's. Aware even then that the level of logging was unsustainable, their research on warm temperate rainforest dominated by coachwood showed that the recovery after even light logging was poor due to crown dieback of the remaining trees. This led to the introduction of a policy of "fifty percent canopy retention" in the sub-tropical rainforests, but even this system could not provide enough timber to meet current mill quotas in perpetuity. One cynic observed that this system was typical of the industry's pseudo-scientific sophistry as it resulted in 50 percent destruction quite apart from roading. Following intense criticism of what conservationists termed the fifty percent canopy *reduction* system, in 1981 the Commission produced a projection based on more recent research in sub-tropical rainforest which indicated that recovery to closure of the canopy ranged from 50 to 200 years together with some uncertainty in the distribution of species of commercial timbers.

Chapter 2 – National Parks

An appreciation of the gradual development of the concept of permanent reservation of suitable areas of NSW as National Parks is desirable for an understanding of the campaign.

The National Park, later renamed Royal, is the second oldest National Park in the world, having been established in 1879. However, apart from Ku-Ring-Gai Chase (1894), further progress in dedication was painfully slow. Myles Dunphy (1891 – 1985) conceived the idea of a National Parks and Primitive Areas Council with himself as Secretary and representatives of four bushwalking clubs to agitate for the dedication of further areas. The National Parks Association (NPA) was formed in 1957 with the aim of the abolition of the Trust system controlling individual parks and bringing all the reserves under a single statutory authority.

In the early 1960's both Labor and Liberal Governments, pressured by NPA and scientific bodies, proposed legislation but it was not until October 1967 that Tom Lewis, Minister for Lands in the Liberal Government, succeeded in establishing the NSW National Parks and Wildlife Service (NPWS). In the Parliamentary debate, Lewis defined National Parks as "spacious land areas essentially of primitive wilderness character", thereby indicating that protection of wilderness was one of the aims of the Act. However, it was not until 1987 that a separate Wilderness Act was passed.

The new Service gradually took control of the 12 National Parks under the control of trustees, some of which contained relatively small areas of rainforest: New England

(2,000 ha), Gibraltar Range (1,500 ha), Dorrigo (2,000 ha) and Barrington Tops (5,000 ha).

In proposing to steal from the Forestry Commission a huge area of rainforest containing:

WIANGARIE STATE FOREST No. 358	15,950 ha
ROSEBERRY STATE FOREST No. 608	15,477 ha
MT LINDESAY STATE FOREST No. 542	367 ha
	31,794 ha,

the members of the Colong Committee set themselves an immensely difficult and quite unprecedented task. As I was well aware that the eight years old NPWS would not dare to confront the powerful and long established Forestry Commission, I sought and obtained from Director Don Johnstone a promise that he would not publicly oppose our campaign. Several years later he was forced by public opinion to support the concept but only if it was small and not controversial. Don's senior staff, unimpressed by bureaucratic turf wars, strongly supported the idea of a large Border Ranges National Park because the range of habitats there resulted in the greatest number of species of mammals and birds anywhere in Australia. It was home to one quarter of our bird species including some of our rarest and endangered.

Chapter 3 – The Beginning of Concern

On the Queensland side of the Border, 19,000 ha of sub-tropical rainforest was reserved as Lamington National Park in 1915 as a result of the persistent efforts of Romeo Lahey, a member of a family owning Queensland's largest sawmill, based at Canungra.

Ironically, it was Arthur Groom, the visionary Queenslander of Binna Burra Lodge on the edge of Lamington National Park, who was the first to advocate preservation on the NSW side. Visiting Sydney in 1948 he extracted a promise from EHF Swain, Commissioner for Forests, that all areas above 3,000 feet would be recommended for reservation as a National Park. As nothing came of this promise, he organised a public meeting at Kyogle in 1950 at which he met John Lever son of Walter, who founded the sawmilling firm of Munro and Lever in 1911 and after whom the nearby plateau was named. As the firm's Outside Manager, John had supervised the building of a wooden tramway up Long Creek which gave access to the 1,000m plateau but he steadfastly refused to log the last large stand of hoop pine because "it was like being in a cathedral and I could not see it destroyed just to make butter boxes". The support of Kyogle, Tweed and Terania Shires was obtained and several public meetings generated good press coverage but there was no real progress as such decisions were made in Sydney. (I wrote to John in 1975 telling him of the latest campaign. Before he died in 1977, aged 81, he was comforted by the Premier's assurance to me that Levers Plateau would never be logged. I discussed with his daughter the idea of a memorial to John on the Plateau but nothing eventuated.)

The first campaign, conducted by country people in a gentlemanly manner, was doomed from the start. After four years it came to an abrupt end when, in 1952, the Premier of

NSW refused to even consider their proposal for a rainforest National Park on the Queensland border.

All remained quiet until 1963 when the Forestry Commission began building a logging road into Wiangarie State Forest from the west in order to meet the commitments given to Standard Sawmilling Pty Ltd of Murwillumbah and Munro and Lever at Grevillea, near Kyogle. Initially there was no local opposition but six years later the Kyogle Community Development Association requested the newly established National Parks and Wildlife Service to dedicate a National Park stretching along the NSW/Queensland border from Mt Lindesay to the Tweed Range and linking with Lamington National Park in Queensland. Although given a glowing description of the area by John Lever – “extraordinary natural beauty, glorious mountain scenery, enchanting waterfalls” – the Service took no action because of opposition from the Forestry Commission. It was the commencement of the building of the second logging road on the Tweed Range in 1972 which precipitated the longest and most celebrated conservation dispute in NSW.

Jim Gasteen, a local farmer living at Barkers Vale near the Bar Mountain access road, told me years later that he was absolutely appalled that this great virgin rainforest, which to him was sacred, was about to be destroyed: “I prickled like an old scrub pig with the dogs behind him and immediately started a campaign to stop the bulldozers already lined up at the foot of Bar Mountain”. He contacted his friend Russ Maslen who was President of the Byron Flora and Fauna Conservation Society and an Honorary Ranger with the NPWS, asking him if he could stop people going into the bush behind his place to shoot turkeys and steal rare beech orchids. In his local history of the campaign, Russ wrote:

I was interested in how people could get a truck load of orchids off a beech tree when they only grew in the canopy. I talked about this point to two local orchid growers, Lew Hodges and John Brown, and we decided to go up and take a look. There we saw how people got a truck load of bush orchids – the Forestry cut the trees down for them! As a result we became upset.

With Vince Morris and John Meek from Brisbane they returned to the Bar Mountain lookout on Australia Day 1973 and formed the Border Ranges Preservation Society.

Their first action was a letter campaign to the Murwillumbah *Daily News* and the Lismore *Northern Star*. Bruce Chick, a prolific correspondent, wrote that “it would be magnificent if the Lamington plateau could be joined to the Tweed plateau which could become another O’Reilly’s. This is an inspiring idea”. The local staff of the Forestry Commission fought back by providing site visits for journalists and addressing Chamber of Commerce meetings. Claiming expertise, they denigrated the “ignorant misguided amateurs” for “wanting to lock up a suitable renewable resource which provided employment”. The heated correspondence in the local papers resulted in over 80 articles and letters between February and August 1973.

Despite being addressed by Jack Stewart, District Forester, and a representative of Standard Sawmilling, the Summerland Tourist Authority sought a Government inquiry into the feasibility of turning Wiangarie State Forest into a National Park. Kyogle Chamber of Commerce tried without success to have this support for a park rescinded, claiming that “antarctic beeches were unattractive trees of no commercial value. Forestry officers are all trained conservationists and are to be congratulated on their approach to the preservation of flora and fauna in our forests”.

When the Leader of the Opposition, Pat Hills, visited Kyogle in June 1973 he said that as future Labor Premier he would continue the present control of the area by the Forestry Commission, thus reversing his earlier support. In the same month the Minister for Conservation in the Coalition Government, George Freudenstein, informed the local member, Don Day, that Wiangerie State Forest would remain under Commission control and not become a National Park.

With the Local Councils, Chambers of Commerce, Forestry Commission, sawmillers and politicians of both sides opposed to the idea of a National Park on the Border Ranges, the local newspapers lost interest and refused to publish any more letters or articles. The campaign faltered but the campaigners did not give up.

In response to appeals for help to the Sydney based Colong Committee, Alex Colley visited the area and wrote several glowing articles for conservation magazines and Geoff Mosley, Director of the Australian Conservation Foundation (ACF), favourably impressed with its suitability for a National Park, recommended a public inquiry and a moratorium in the meantime. However, this did not appeal to the Premier, Sir Robin Askin, who replied on 18 September 1973 that “no useful purpose would be served by an inquiry given the present obviously successful management system adopted by the Forestry Commission”.

Attempting to defend the indefensible, the Forestry Commission issued *Background Notes on Rainforest Logging in Wiangerie State Forest* in April 1973, justifying the policy of “selective logging with retention of 50% of the upper canopy”. After stating that the policy was adopted after years of research, it claimed that “the operation leaves

the rainforest in a healthy and viable condition . . . preventing crown dieback which is experienced after heavy logging”. No mention was made of the weed invasion or the fact that the 50% cut often resulted in only 25% of the canopy remaining because of damage from falling trees. Even George Baur, their own rainforest expert, in a 1968 paper entitled *The Ecological Basis of Rainforest Management*, admitted that “fast growing useless trees develop rapidly after the canopy is opened up and prolific vine growth suppresses, deforms and frequently kills much of the useful regeneration”.

One of the initiatives of the Whitlam Labor Government was the establishment in May 1973 of the Committee of Inquiry into the National Estate. Two of its members – Milo Dunphy and Judith Wright – visited the Border Ranges and as a direct result its September 1974 report to Parliament recommended “that all forest authorities recognise the urgent need to manage, in the most conservative manner, the remaining rainforest areas of Australia”.

The report also recommended that National Estate grants be made to conservation groups. The Border Ranges Preservation Society was successful in obtaining a grant of \$5,000 for the preparation by Urban Systems Corporation Pty Ltd of a feasibility study. After sending an inspection team to the area they consulted Milo Dunphy who urged them to expand their rather modest recommendation to include all three State Forests. When the report entitled *Border Ranges – Proposed National Park Study* was published in June 1975, copies were given to State Ministers, senior bureaucrats and the media. The Forestry Commission described it as amateurish and associated Country Sawmillers complained to the Heritage Commission in Canberra that it was a waste of public money. Nevertheless it brought the Border Ranges campaign to Sydney and became a

valuable lobbying document at the very time the Colong Committee became deeply involved.

The statutory objective of the Forestry Commission as set out in the Forestry Act (1916/1972) was to manage them in the “public interest”. While this implied a responsibility to maintain all forest values, the over-riding emphasis was on timber production. In order to make it appear otherwise, the term “multiple use” was borrowed from the U.S. Forest Service thus giving the false impression that timber production was wholly compatible with non-wood values. We derided this concept as “multiple mess”, a glib smokescreen designed to diminish or dismiss all forest values other than wood production. If wildlife were to be considered part of the multiple use concept, it is significant that the Forestry Commission’s forest wildlife biologist, Wyn Jones, was not appointed until 1975, some years after widespread use of the term by our opponents.

George Freudenstein, Minister for Conservation, supporting the Forestry Commission, claimed that the policy of the Coalition Government had resulted in “one of the most highly successful exercises in the multiple use of a valuable resource”, but failed to mention the unsustainable twenty year guarantee of supplies which he gave to Carricks Ltd, owners of Munro and Lever.

The Nature Conservation Council entered the fray in 1973 when the Annual Conference urged the Premier to end rainforest logging but Sir Robin Askin’s reply, prepared by the Forestry Commission, defended the status quo.

The Colong Committee was formed by representatives of 50 conservation societies at a meeting at Sydney University on 29 May 1968. Over the next seven years the members, meeting each fortnight in the office of Milo Dunphy, director of the Total Environment Centre, succeeded in defeating not only a limestone quarry in the Blue Mountains National Park but also a Forestry Commission proposal for a pine plantation on the nearby Boyd Plateau. Pressure was brought on the Government by means of letters to the press, demonstrations, organising within political parties, contesting elections and the use of Parliamentary questions. The media loved the original methods of campaigning.

Having succeeded in defeating these two threats, the Committee decided in April 1975 that its next campaign would be for a large rainforest National Park on the NSW/Queensland border comprising Wiangarie, Roseberry and Mt Lindesay State Forests. Peter Maslen, son of Russ and now living in Sydney, had joined the Committee and was keen to carry on the campaign his father had been fighting for the past two years. I was also keen because, some 30 years earlier, when non-essential interstate travel was prohibited during the Second World War, I had walked over the border by way of Numinbah Gap and on another occasion climbed 1,140m up an exceedingly steep NSW ridge of the McPherson Range to reach Mt Bithongabel en route to O'Reilly's Guest House in Lamington National Park.

The impetus driving the activist members of the Colong Committee, making them passionate and articulate in the cause of rainforest protection, came from their personal experiences in the bush. Whilst members of ACF, NPA and other large conservation organisations which later supported the campaign had diverse reasons for doing so, in

the case of the Colong Committee, the core group of less than a dozen were all keen bushwalkers or park enthusiasts.

As Milo Dunphy, a Director of TEC and Chairman of the Colong Committee, led the campaign, a brief biography is desirable. After graduating in architecture at Sydney Technical College, Milo practised in Sydney and, aged 33, was a councillor of the Royal Australia Institute of Architects, becoming Chairman of the Environment Board. His transition to a full time environmentalist took place in the 1960's during which period he was the unpaid Secretary of the National Parks Association and the Colong Committee. In 1972 a group of concerned citizens formed the Total Environment Centre and invited him to become Director. He did so with alacrity, abandoning his architectural career to work for the developing conservation movement which involved campaigns on air and water pollution, uranium, urban parks, sand and limestone mining and the flooding of Tasmania's Lake Pedder.

In the words of author Peter Meredith:

Milo took the baton and continued to run the conservation race that his father Myles had begun. If there was a difference between father and son, it was one of style. Milo rejected his father's gentlemanly approach, the polite letters, the friendly contacts with bureaucrats. Milo had the fiery zeal of a radical; he made a lot of noise, ruffled bureaucratic feathers and rattled politicians. In this he was as much a man of his time as his father had been of his.

Milo contested the State electoral seat of Miranda as an Australia Party candidate in 1971 and two years later the Federal seat of Cook in order to draw public attention to conservation issues. Campaigning to save the Franklin River in 1983, he stood against

John Howard in Bennelong, receiving a respectable 13% of the votes cast. As a member of the Labor Government's National Estate Inquiry, he travelled widely throughout Australia in 1974. For many years he served on the executive of the ACF, the Nature Conservation Council and the National Parks Association, so that he became the best known and most effective conservationist in the State, a pre-eminent position he held for almost 30 years.

Milo had an easygoing charm which he used on numerous members of the opposite sex after his marriage to Dorothy broke down. He also used it to entice Premiers Neville Wran and Bob Carr to go camping with members of the conservation movement. Because of his vital leadership role, often in the face of strong opposition, and the initiative displayed in campaigning to protect the environment, he received an award in the Order of Australia (AM) in 1985, a year after the Wran Government legislated to save the rainforest, which was undoubtedly the toughest, longest and most successful of Milo's many conservation battles.

Regrettably, despite directing TEC with considerable success for 23 years, he was forced out as his health deteriorated. He died a painful death from liver cancer in April 1996 aged 67. In the final weeks of his life he received an Honorary Doctorate from the University of NSW and participated in a nostalgic farewell from his many friends at the National Herbarium in the Botanic Gardens. Following his death the Premier's office organised a celebration of his life at Government House, attended by several hundred guests.

As the need to raise public awareness of the value of rainforests was seen as paramount, Colong committee member Henry Gold was commissioned to do a photographic study, and, accompanied by Alex Colley, spent two weeks in the area. His splendid photographs were used to illustrate slide shows, pamphlets, articles, media releases and large posters which were an important source of funding.

The campaign opened in October 1975 with a special issue of the *National Parks Journal* presenting a strong case for a Border Ranges National Park using articles and photos by Colong Committee members. NPA generously gave \$500 for reprints of the articles in pamphlet form which were widely distributed.

When I read in the *Sydney Morning Herald* that Joseph Glascott had been appointed as their first Environment Writer, I visited him and provided articles and photographs. Following his story on the front page on 30 December 1975 entitled *The last Rainforest gets the Chop*, the *Herald* published a letter of mine headed *Financing the Big Chop* which revealed for the first time that the operations of the NSW Forestry Commission were uneconomic and that taxpayers were subsidising a wealthy Queensland company to ravage the unique rainforest on Levers Plateau.

The extent of the problems to be overcome if the three State Forests were to become National Park is clearly shown by the annual rainforest quotas and the jobs involved:

Standard Sawmilling	9,610 cu.m.	80 staff
Munro and Lever	6,200 cu.m.	95 staff
TOTAL	15,810 cu.m.	175 staff

The timber reserves totalled 153,000 cu.m. and were sufficient to keep both mills operating for 10 more years. However my research showed that in the adjoining Urbenville sub-district, rainforest reserves of 150,000 cu.m. were only being logged by Robb and Brown which had an annual quota of 3,500 cu.m. – enough to last them 40 years!

Standard Sawmilling at Murwillumbah were too far away to benefit from this vast resource but Kyogle was quite close to Urbenville, so I proposed what I saw as a logical solution – Munro and Lever should obtain their quota from Urbenville for the next 15 years. The Forestry Commission response was that there was a long-standing rule that quota allocations could not cross sub-district boundaries. Considering the magnitude of the problem they faced, I told them this was ludicrous but they clung to it for six long years before admitting defeat.

Regrettably this solution for the Border Ranges upset two local conservationists – Dailan Pugh and Rod Ritchie – who were advocating rainforest reserves to the west, but eventually we all won when rainforest logging finally ceased in NSW.

Chapter 4 – Political Moves

On an official visit to John Mason, Minister for Lands and Forests in the Coalition Government in September 1975, he broke the news that Cabinet had decided to hold an inquiry into the future of the forests on the Border Ranges. I was delighted as this was my first lobbying success, but when I reported back to the Colong Committee, Milo correctly forecast that it would be a “Claytons Inquiry”.

A month later, trying to look inconspicuous, I attended the Annual Meeting of Associated Country Sawmillers of NSW at which the Minister announced that the Parliamentary members of the Government Parties Committee of Inquiry would be Jim Brown, Frank Duncan, Bruce Duncan (all three closely involved in the timber industry), and Kevin Rizzoli as the token conservationist. Adding insult to injury, Wal Gentle, an outspoken critic of the conservation movement, was appointed Secretary. No doubt ACS members considered that they had little to worry about; this Government inquiry would surely put an end to the pressure for a National Park which had been building over the last three years.

Given the development policies of the Coalition Government and the industry bias of the membership of the inquiry, it was really absurd for the conservation groups to waste their time responding to the appeal by the Minister for submissions as there was no possibility of winning. But they did – the Colong Committee organised 30 and sought unsuccessfully to address the members.

Meanwhile, Frank Walker, Milo’s local member of Parliament and a close friend, asked the Minister for Lands and Forests whether he would dedicate Levers Plateau as a

National Park. Mason replied: “I am most anxious that I receive a balanced report from the Committee, fairly representing both sides”, when he knew that the members of the Committee had refused to listen to opposing views and would recommend logging. A few weeks after Colin Fisher became the new Minister in January 1976, he too set off on the ritual visit to the Border Ranges accompanied by Don Day, with Jack Henry and George Baur of the Forestry Commission.

My New Year resolution for 1976 was to prevent the logging of Levers Plateau. To this end I produced and distributed widely an economic study which showed that the cost of building the expensive road to the Plateau and supervising the logging far exceeded the expected timber royalties, so that the NSW taxpayers would be paying to have this unique area destroyed.

Colin Fisher received the report from the Committee recommending logging in March 1976 but as the campaign for a National Park intensified, he waited until two days before the State election before giving the Forestry Commission permission to commence building the Levers Plateau Road. Although under pressure from the timber industry to make his decision public, he did not issue his press release until 6 May – five days after the election and only one day before the declaration of the poll. (The press release, of which I have a copy, contained the interpolated phrase “if the Coalition is returned” in a different type-face.)

Fortunately for the rainforest and our campaign for a National Park, the Coalition was not returned, the Labor party led by Neville Wran being elected with a majority of one,

and, as Don Day (Member for Casino) constantly reminded Cabinet over the next two years, that one was him!

Prior to the election, the Labor Party had declared excellent environmental policies. After a visit to the Border Ranges in November 1975, Neville Wran declared “the forests of the North Coast should be managed in perpetuity as a forest resource, not merely as a timber resource, and all their values maintained”. To our dismay, Lin Gordon, the new Minister for Forests, adopted the refrain of the timber lobby, telling the media “The state needs the timber and the local people need the jobs”.

Even more depressing news came from the Annual Conference of the Labor Party in Sydney in June. The Chairman of the Environmental Committee (Keith O’Connor) and Secretary (John Whitehouse) put forward a motion calling for the declaration of a Border Ranges National Park and no road onto Levers Plateau. After a lengthy and heated debate the motion was defeated, 306 votes to 264, by the combined strength of the timber industry unions and their supporters.

Whilst working through the NCC, NPA, ACF and Colong for a Border Ranges National Park, I was even more passionate about stopping the proposed road to Levers Plateau. Having interviewed all the politicians and public servants involved, I was shocked to learn on arriving back after a visit to Kakadu with Milo Dunphy and Alex Colley in June 1976 that Lin Gordon, Minister for Forests, was about to seek Cabinet approval for the building of the road. As royalties were expected to be \$700,000 against a road said to cost only \$142,000, approval was likely. John Hibberd, Executive Secretary of NCC, and I organised urgent telegrams to Cabinet Ministers from ACF and NPA as well as

NCC. Paul Landa told me later that the ploy was successful as the debate in Cabinet was “very acrimonious with skin and hair flying”! (Lin Gordon so resented being overruled that in a speech to the timber industry four years later, he described conservationists as “a small minority with incredible leverage”.) He was forced to withdraw his Cabinet submission, the matter being again discussed on 20 July and 3 August 1976. The Premier asserted his will and on 5 August issued a press release announcing that the proposed road would not be built without a full inquiry. To achieve this an Inter-Departmental Committee (IDC) was established “to inquire into the environmental and economic effects of land management policies in the McPherson Ranges”. I was naturally elated that after exactly a year of campaigning during which I contacted 40 individuals, the voluntary conservation movement had been successful in saving Levers Plateau. (Although the access road had only been stopped temporarily, Wran told me privately that it would never be built.)

Jack Henry, Commissioner for Forests, was appointed Chairman of the IDC on 20 July 1976, the other members being: Ron Yardley, representing the Planning and Environmental Commission; Don Johnstone, Director of NPWS; Brian Talty, representing Don Day, Minister for Decentralisation and Development. The Premier told the Chairman not to hurry and the Government used the existence of the IDC to deflect all criticism. George Baur, the Forestry Commission rainforest expert, took a year to prepare a 95 page report entitled *Background Paper on the Border Ranges*. Most unwisely, he wrote that “when brushwood supplies are exhausted in 1986, the sawmillers would make strong representations to the Minister to log Gradys Creek Flora Reserve but the Forestry Commission would equally strongly resist these

representations”. (He must have been rather annoyed when, a year later, the Commissioner himself proposed that it be logged!)

The four members of the IDC visited the Border Ranges and conferred with the owners of the two sawmillers involved. Munro and Lever claimed to have \$3 million invested in plant and buildings while Standard Sawmilling claimed an investment of \$5 million but indicated an interest in compensation of \$1 million if they gave up their rainforest quota. The jobs of 180 employees were dependent on the timber from the two State Forests, which would only last for a further nine years. Well aware of the wishes of their political masters, the four bureaucrats took 14 months to produce a brief report in which they agreed to disagree, listing seven possible options.

Inevitably my personal campaign for Levers Plateau resulted in a confrontation with the owners of the timber mill which had every expectation of logging there. Munro and Lever was owned by Carricks Ltd, a large public company in Brisbane. It was therefore not surprising that when I visited by appointment, Chief Executive David Barnett greeted me with considerable hostility saying “I’ve heard about you; the proceedings will be taped and the conclusions signed!” The meeting was an abject failure; nothing was achieved as all the logging options I raised were rejected. My visit was reported to Don Day who asked a question in Parliament as to my authority to negotiate on behalf of the Government. The answer was, of course, none whatever!

David Barnett organised a public meeting at Grevillea in February 1977, the theme of which was job protection for their workers. The Colong Committee was asked to send a speaker but wisely declined. Instead Russ Maslen drove across from Mullumbimby and

as our spy taped the proceedings. The speakers were David Barnett, Don Day and Bruce Duncan (Labor and National Party parliamentarians), District Forester Geoff Pople and Jack Hurley, Chairman of the Kyogle Chamber of Commerce. I was the subject of sustained attack which Russ described as “not very flattering!”

Shortly after the meeting Bruce Duncan complained about me in a Grievance Debate in the Legislative Assembly. He was quite justifiably irritated as a result of David Barnett giving him a copy of my letter to him in which I unwisely wrote: “Mr Wran has assured me that the road will never be built”. The Premier received a stronger serve, being accused by Bruce Duncan of “duplicity, procrastination and pussyfooting over the Levers Plateau Road”.

Peter Maslen had become a shareholder in Carricks Ltd on behalf of the Colong Committee. In June 1980 he wrote to David Barnett seeking information about the operations of the Grevillea Mill. His reply began “The Colong Committee has no standing with this company” and finished with “the failure of your Committee to accept the decisions of any of the various Government inquiries would appear to make further rational discussion of the situation simply a waste of time.”

I was subject to further criticism in an article in the *Northern Star* on 21 March 1977 in which Don Day, Member for Casino, refuted my claim that the Levers Plateau Road would never be built. He informed Bruce Duncan, Member for Lismore, that “Somerville had no authority to enter into discussions with anyone in relation to Government policy on the Border Ranges. Cabinet will make a decision on the access

road to Levers Plateau when it receives the IDC report". With wry amusement I noted that the reporter stated that I was a member of the IDC Inquiry!

Chapter 5 – Campaigning

As the rainforest dispute escalated, the defeatist attitude of Don Johnstone, Director of NPWS, gradually changed. After several years of inaction he sent an investigating team to the Border Ranges. Seven senior officers, including Alex Floyd, Win Jones, Tony Rose and Ben Mills spent August and September 1977 in the area and produced a comprehensive report which confirmed that the four major rainforest sub-forms – sub-tropical, warm temperate, cool temperate and dry – all occurred in the Border Ranges. Not only was the mammal fauna found to be extremely rich and varied but the scenery was outstanding. The large mature hoop pines on Levers Plateau were considered to be a priceless area for research and should be preserved inviolate. Going beyond their brief and to the annoyance of their Director, the team recommended that logging licences should not be renewed at the end of their twelve month term. Don Johnstone was so embarrassed that he endeavoured to keep the report secret and became quite upset when I told him that I had a copy. Here was invaluable support for our own cause coming not from one of our members but from a Government agency! I therefore lent my copy to Joseph Glascott who wrote an excellent article for the *Herald*.

During 1976 and 1977 conservation groups did battle with the timber industry to such an extent that the preservation of rainforest in the Border Ranges became the most controversial environmental issue in NSW. Each group campaigned as it saw fit but many combined for special events such as public meetings. As a director of TEC and the Colong Committee, Milo Dunphy co-ordinated most of the action and was always available for media interviews. The NCC, of which I was Treasurer, was deeply involved, organising deputations and preparing submissions. The NPA, with Peter Prineas as its executive officer, gave immense support both in Sydney and throughout

its branches on the North Coast. Other groups which participated in the campaign were Dick Thompson's Ecology Action, Vincent Serventy's Wildlife Preservation Society, Friends of the Earth and the National Trust. Only the Conservation Society, a very old and conservative organisation, supported the logging of rainforest, largely because its Secretary, Ian Nicholas, was an employee of Associated Country Sawmillers. Although a founding member of NCC, they were expelled at a dramatic meeting in 1976 and later ceased to exist.

Campaigning methods varied widely. Some of the leading members of the movement such as Milo Dunphy and John Corkill believed in confrontation while others such as Alex Colley, Chris Pratten and I took a pragmatic view, exploring solutions which were politically acceptable such as locating alternate timber supplies.

The campaign became national when in August 1976 the ACF published a special issue of their magazine *Habitat* containing 10 articles by members of the Colong Committee and the Border Ranges Preservation Society. The support of the only national conservation organisation was instrumental in raising public awareness of the campaign throughout Australia.

In order to develop interest, the Colong Committee convened a public meeting at the University of Sydney in September 1977 at which Russ Maslen spoke of the background of the dispute with the Forestry Commission, Professor Ian Douglas of New England University dwelt on scientific aspects, Milo Dunphy described the progress of the campaign and Henry Gold showed his slides. Little publicity eventuated as the media wanted action, not meetings which were really only preaching to the converted.

Although several large meetings were held later, they were not seen as an essential campaign tactic.

The Whitlam Labor Government funded a scientific investigation into forest areas needed for the preservation of endangered flora and fauna in the State. The well-qualified team, led by Fred Bell, senior lecturer in Applied Science at the University of NSW, spent three years on the task and the results were published in *Forest Ecosystems in NSW*. Milo and Fred were close friends, so no one was surprised that the most important of the four nominated habitats for endangered and vulnerable species was the Border Ranges.

In a foreword to the ACF *Rainforest Viewpoint* published in May 1977, Director Geoff Mosley urged members to champion the cause of rainforest preservation. After noting that the logging of Wiangarie State Forest threatened to extend into virgin Levers Plateau he contended that failure to reserve these areas was “inexcusable”. This 14 page publication was the first of many dealing sympathetically with the issue.

Initially the sawmillers involved were happy for the Forestry Commission to oppose the conservationists – probably because they thought they had little to worry about.

However by November 1977, Associated Country Sawmillers certainly was concerned; the industry newspaper *Prologue* carried a banner headline: “Threat to Entire Industry”. As the public debate grew, ACS appointed an environmental officer to develop strategic guidelines for a counter-offensive. Despite access to unlimited funding, much of their activity was reaction to our initiatives which included media tours, lobbying politicians, publication of pamphlets and letters to newspapers. Their power base was confined to

four country towns whereas ours was the educated young and middle class voters in Labor's urban heartland. The demonstration technique, so loved by the city media, was a virtually impossible tactic for the timber lobby. At one stage they gave a handbill to customers of all hardware stores and timber yards which stated that "Conservationists are now howling like wolves to have all rainforest logging stopped and their leaders have a stated objective of stopping all logging in NSW". (Despite several requests, no proof of this latter claim was forthcoming. It was quite untrue.)

Three years after Tom Lewis established the NPWS he asked a dozen eminent experts in their specialties to become members of a Parks and Reserves Scientific Committee to advise him on areas suitable for dedication. Its third confidential report in February 1971 entitled *Interstate Park – McPherson Ranges* recommended a park on Wiangarie Plateau because "the area is scenically attractive and supports a rich sub-tropical rainforest of particularly fine development which would make an ideal addition to the State's park system". Not only did both Liberal and Labor Environment Ministers ignore the recommendation but they succeeded in keeping it secret for seven years until the disenchanted Chairman, Professor Roger Carolin, leaked a copy of the report to Milo Dunphy who used it to publicly embarrass Don Johnstone and his Minister.

Chris Pratten was not only the very active Chairman of the NCC but also Environment Director of the National Trust which, at his urging, classified the Border Ranges as a "landscape conservation area". The Trust gave its reasons for listing as both scenic and scientific; the former because of the sheer beauty of the forested rugged ranges and the latter because it was the only substantial area of sub-tropical rainforest remaining in

NSW and was of very high biological value. The *Herald* reported favourably on the listing.

Following the establishment of the Australian Heritage Commission in November 1975, the Colong Committee nominated the Border Ranges for inclusion in the Register, but so controversial had the area become that two members of the Commission were directed to carry out a special investigation. Predictably, the Forestry Commission objected to our nomination but they were over-ruled. During the year-long investigation, the Chairman, David Yencken, proposed that adjoining Lamington National Park be included, but this raised the ire of the Queensland Premier, Joh Bjelke-Petersen, who had a pathological hatred of conservationists and Canberra bureaucrats. Nevertheless the whole area of about 50,000 ha was officially listed in January 1978, Gradys Creek receiving special mention. Our jubilation, however, was short lived as our opponents viewed the listing as support for their logging practices, claiming that if Wiangarie could be listed in its logged condition, clearly it was not downgrading the area. By inference, Levers Plateau could be logged!

The listing was of special interest to me as I had been nominated by NCC as their representative on the Australian Heritage Commission. The appointment was awaiting the Governor General's signature when the Whitlam Government was dismissed. Instead, Prime Minister Fraser appointed Vincent Serventy who had a far greater knowledge of the Australian environment. As President of the Wildlife Preservation Society he strongly supported the Border Ranges National Park proposal. Naturally I was disappointed but I had to admit that Vincent was better qualified for the task.

The Australian National Parks Association, organised by Paul Barnes, strongly supported our cause. During the period that he was NPA's representative on the NPWS Advisory Council, Paul succeeded in persuading this prestigious body to recommend to the Minister that the Border Ranges become a National Park, and then, very courageously because proceedings were confidential, made it public. Director Don Johnstone, reflecting Minister Fisher's annoyance, reprimanded Paul.

Bob Debus, who later became Minister for the Environment in Bob Carr's Labor Government, interviewed me on Broadband, his ABC Radio program. I arrived with a written script which, insisting on spontaneity, he immediately impounded! Thanks to Joseph Glascott, the *Herald* carried editorials favourable to our cause in March, April, May and September 1978. It also carried articles by him in February, March and July and numerous letters from correspondents throughout the year. No other subject of public interest achieved such sustained publicity in 1978.

The Colong Committee commissioned an independent group to produce a documentary film on the campaign for the Border Ranges. However the treatment of the subject was so controversial that none of the Sydney television stations was prepared to show it. The \$2,000 was not entirely wasted because one of our members, Ian Land, who accompanied the film crew, pulled up and threw away the Forestry Commission's survey pegs for the proposed road to Levers Plateau.

The Royal Society of Queensland and ANZAAS jointly organised a symposium at Binna Burra Lodge in Lamington in June 1976 with the title of *The Border Ranges – A Land Use Conflict in Regional Perspective*. Over 150 people listened to 15 papers

presented by such experts as Dr Harry Frith, Dr Milton Moore and Geoff Mosley. The two speakers from the University of New England were on opposite sides – Ian Douglas (Professor of Geography) was in favour of a National Park, while Brian Richards (Professor of Natural Resources) was in favour of continued logging on economic and social grounds. Peter Standen, representing the NSW Planning and Environment Commission, also supported continued logging. John Hibbert, representing NCC, reported that there was much conflicting information on forestry practices, the effect on the ecology of the area and general concern that much more study of the Border Ranges was necessary. If any resolutions were passed they are not in the 80 page report. Dr Milton Moore of CSIRO Division of Land Use Research, who had accompanied the Government Parties Committee to the Border Ranges a year earlier, again proposed a five year moratorium to allow for the collection of more data and an independent study of the environmental effects of the 50 percent canopy retention policy. As the Forestry Commission was certainly not about to defer logging for five years, the symposium was an interesting academic exercise which achieved nothing – not even publicity!

Dr Neville Schaefer, head of the School of Town Planning at the University of NSW, gave 17 of his 1977 final year students the practical but difficult task of finding a solution to the rainforest problem. After an exhaustive six months' field study they produced a 180 page report containing seven recommendations. As I kept Dr Schaefer aware of developments within the bureaucracy, he knew that the IDC had secretly suggested buying the remaining Wiangarie quota from Standard Sawmilling, and his first recommendation was that they be given a financial inducement to withdraw. The group concluded, as I had two years earlier, that Munro and Lever could easily obtain their quota from Urbenville, correctly predicting that they could not remain viable in the

long term – they ceased operations in April 1983. The report was produced just in time for the State Pollution Control Commission (SPCC) Inquiry at which Dr Schaefer gave an excellent presentation.

Animal liberationist and journalist Christine Townend joined the Committee, became Editor of the *Colong Bulletin* and had a lengthy article published in the *Herald* attacking the Forestry Commission. She also conducted an insightful interview with Wal Gentle when he was Minister Crabtree's Private Secretary which so upset him when published in the *Herald* that he threatened her with an action for defamation.

Dr Lin Webb and Geoff Tracey, scientists in CSIRO's Rainforest Ecology Unit in Brisbane, who had long been studying the flora of our rainforests, became supporters of our campaign. Unlike the NSW Government employees, they felt free to criticise the management of the rainforests by the Forestry Commission and regularly did so.

Only two local scientists, Harry Recher of the Australian Museum and Marilyn Fox of the Herbarium, were brave enough to criticise Forestry Commission policies. Both suffered public denigration as a consequence. Other scientists who later joined in the almost universal condemnation of rainforest logging remained silent in the 1970's through fear of retribution.

In order to overcome the lack of faunal information, the Australian and Queensland Museums began a joint study of the Border Ranges area in 1974. Hoping for data on endangered mammals in the proposed National Park, I followed the survey closely but

when the 130 page report was published in September 1976 it was of such a technical nature as to be unsuitable for lobbying.

When the highly respected Dr Peter Wilenski was commissioned by Premier Wran to conduct an inquiry into the Public Service in 1977, he called for submissions from aggrieved members of the public. The Colong Committee responded with examples of the excessive secrecy employed during the rainforest campaign. One specific example related to Management Plans which were required by the Forestry Act to be prepared for each forest and made available to the general public. Only one had been made available over the last 60 years. The most disgraceful aspect was that many did exist but it was claimed that they were only in draft form and therefore not available as public documents. (On one occasion I saw the Wiangarie Management Plan on the desk of an official I was interviewing but access was denied.) Similarly, logging licences granting private firms the right to take timber from public forests were not available for public inspection unlike mining leases. Dr Wilenski expressed particular interest in our submission and invited me in for a chat. His report to the Premier was critical of the secrecy employed by the Forestry Commission.

Believing that two State Forests on the Border Ranges mainly consisted of slopes in excess of 18 degrees, Alex Colley and I interviewed Commissioner Day, head of the State Conservation Service, which administered the Catchment Areas Protection Board whose legislation prohibited the clearing of slopes in excess of 18 degrees because of the resultant erosion. To our chagrin we found that the Forestry Commission was exempt from the provisions of the Soil Conservation Act, being bound only by Standard Erosion Mitigation Conditions which they had helped prepare. We believed that these

guidelines were not being observed and this was confirmed when, in June 1981, at a secretly taped staff meeting, Wal Gentle told his managers that their field performance was “too sloppy; there is no doubt in anyone’s mind that the Conditions were being breached, and seriously, almost all the time”.

At my instigation, the SPCC prepared a 50 page report entitled *Effect on Water Quality Caused by the Logging of Steep Slopes in Mountain Forests*. The most pertinent conclusion was that “the usefulness of the Standard Erosion Mitigation Conditions depends on the level of commitment in their application . . . The Conditions may not always have been rigorously applied in the field”. This very gentle admission of wrongdoing ultimately resulted in a tightening of the Conditions. It also led to a further decline in the credibility of the Forestry Commission as a result of the unfavourable publicity.

In January 1977 Ray Hammond, a retired Forestry Commission marketing manager, was featured in a *Herald* article which stated that they had lost \$110 million in the last five years. This was rather misleading as it was based on their annual Receipts and Payment Accounts which did not treat capital items such as plantations, roading and equipment correctly. I pressed Commission officers to prepare annual Profit and Loss Accounts which are routinely prepared by all commercial enterprises.

In order to help offset the damaging publicity which Ray Hammond and I were achieving, in their 1978/9 Annual Report, the Commission published for the first time proper commercial accounts which showed that, apart from the Eden woodchip operation which broke even, native forest logging earned royalty revenues of \$9.2

million against expenditure of \$13.9 million. So here at last was official acknowledgement, three years after my assessment in regard to Levers Plateau, that taxpayers were in fact paying to have their native forests logged, resulting in a healthy subsidy to the sawmillers. Royalties would need to rise by 50% in order to break even, an obvious impossibility as even a 10% increase resulted in strong opposition. In a submission to Cabinet in 1980 the Commission admitted that “the average stumpages (ie royalties) actually paid for rainforest timber are consistently lower than for other groups . . . The returns from the sale of native timbers do not compensate for the cost of managing the forests”.

As mentioned in the previous chapter, the economic study I prepared showed that logging Levers Plateau was not a viable proposition insofar as taxpayers were concerned. As an accountant I was appalled that the Forestry Commission sought approval for the building of expensive roads to the upland forests on the simplistic basis of comparing the direct cost of the construction with the expected royalties. Clearly each new project should be asked to bear its appropriate share of District and Head Office expenditure as well as interest on borrowings. They were not, as they claimed, “profitably harvesting a renewable resource in the interests of the general public”. Later the Commission was forced to admit that their native forests were incurring substantial losses but to my dismay, no one was interested in the financial aspects; the issue would be decided on political not economic grounds.

In order to obtain publicity, street demonstrations were a regular feature of our campaign. Milo organised one in August 1977 in which I participated. My presence demonstrating outside Parliament House so incensed John Mason, now the Coalition’s

Shadow Minister for Forests whom I had lobbied the year before, that he went inside and placed on the Notice Paper a question to the Premier relating to my suitability to be a Commissioner on the State Pollution Control Commission (SPCC). The official response in Parliament provided only my background and environmental expertise but I was quietly warned to be more careful. The incident was revealing of the political culture; unquestioning loyalty to the Labor Party was expected irrespective of the conscience of the individual. I was not even a member of the Party! Ironically John Mason's father and mine were once close friends!

Brian White, popular radio announcer on 2SM, visited the rainforest and supported the campaign, giving public service type announcements using material we provided. At one stage he warned the politicians involved that he would continue attacking them until the logging was stopped.

Before Carricks purchased Munro and Lever they sought and obtained from the Minister for Lands and Forests a 20 year guarantee of supply of logs from the Border Ranges. As the Forestry Act provided only for annual licences, this was of doubtful validity. In order to convince me of the hopelessness of my campaign for Levers Plateau, Jack Henry told me of the guarantee and I told Milo who then made it public. The Minister's denial of the existence of a "special licence" was undermined when Carricks claimed in their Annual Report to shareholders that they did have a 20 year guarantee of supply. Milo demanded a copy but Minister Mason refused on the grounds of confidentiality. It would only be released if Carricks agreed. I asked to see it when visiting Brisbane in 1977 but to no avail. This public spat between Milo and the

Minister was only a side issue but it generated publicity unfavourable to the Commission, especially as the Council for Civil Liberties became involved.

The increased public awareness of the importance of the need to protect the environment in Australia paralleled that of the USA. Liberal Party Minister Jack Beale issued a booklet entitled *Principles and Procedures for Environmental Assessment in NSW* in 1974, but these were merely guidelines, lacking statutory support. However the State Pollution Control Commission (SPCC) was empowered to intervene in the approval process where issues were of special significance or highly controversial. As the Colong Committee considered that the Border Ranges issue satisfied both criteria, it wrote to Premier Wran seeking an Inquiry by the SPCC.

As the Labor Government was popular, the Premier decided to hold an early election. The worrying rainforest National Park issue had therefore to be settled by mid-1975 at the latest. Referring the issue to the IDC had achieved the desired delay but, as the four public servants were evenly split, no solution. The seven options offered – ranging from clear felling for pine plantations to reservation as a National Park – were of no help to members of the Development Coordinating Committee of Cabinet. Instead they decided to accede to the Colong Committee's request for an SPCC inquiry without bothering to mention that they intended to pre-determine the outcome. Fortunately for the rainforest, the fix contained a fatal flaw – Gradys Creek.

Pioneer James O'Grady selected the property on the upper reaches of the creek which bears his shortened surname, in 1868. However, he was only able to clear a few hundred hectares of the dense rainforest so that when, in March 1917, the newly

established Forestry Commission dedicated Wiangarie State Forest, the lush rainforest in the headwaters of the creek was undisturbed. From an altitude of 200m near Cougal on the Sydney to Brisbane rail line, the creek rose in 15km to 1000m where the McPherson and Tweed Ranges met beside the Queensland border.

Meeting in Kyogle in 1971, the North Coast Branch of the Institute of Foresters decided to recommend to the Commission that a Flora Reserve be created in order to conserve a sample of the fast disappearing virgin rainforest because of its unique ecological interest. Research Scientist Alex Floyd identified the only unlogged areas as Gradys Creek and Mt Nothofagus in nearby Donaldson State Forest and in his submission seeking their dedication as Flora Reserves, stated that “unquestionably they contain the best development of sub-tropical rainforest in association with warm and cool temperate rainforest in NSW”. He then candidly told his superiors in the Commission that if these areas were not preserved, “in twenty years’ time we could be labelled the greatest butchers of all time for felling magnificent specimens of booyang and yellow carrabeen which would fetch only a couple of dollars in royalties”. (In the light of this harsh criticism it is no surprise that Alex Floyd later transferred to the NPWS where he fought to preserve all the remaining rainforest on the North Coast.) However, the Casino District Forester was worried about objections from the local sawmillers if Flora Reserves were established, so he recommended to Head Office that they be set aside as Forest Preserves which would result in no publicity. To his credit, Commissioner Jack Henry, in an effort to appease the growing local agitation for rainforest preservation in the Border Ranges, recommended to his Minister that both areas be gazetted as Flora Reserves, thus giving them statutory protection, and the Minister agreed.

Thus Gradys Creek Flora Reserve was gazetted on 21 December 1973. The Working Plan stated that “the management of the Reserve shall aim at preserving *for all time* (my emphasis) the flora and fauna because of its particular scientific value and interest”.

The flora list totalled 135 species, the most common trees being: carrabeen, sassafras, coachwood, yellow wood, rosewood, black booyang, lilly pilly, black myrtle, hoop pine and a few 2000 year old negrohead beech. The interpretive road sign read as follows:

“This 1500 ha Reserve has been set aside to preserve a virgin rainforest area for research purposes and limited public use. The next ridge to the North is the McPherson Range marking the Queensland border and beyond is Lamington National Park”.

(The foregoing background material on Gradys Creek Flora Reserve is given to provide an understanding of how and why it dominated the campaign for a Border Ranges National Park from 1978 to 1982. My inside knowledge of the bureaucracy enabled me to publicise and thus prevent the implementation of the disgraceful Cabinet decision to log Gradys Creek.)

Chapter 6 – The SPCC Inquiry

The Development Coordinating Committee of Cabinet, chaired by the Deputy Premier, Jack Ferguson, deputed Paul Landa, Minister for Planning and the Environment, to fix the problem, which he did by reconstituting the IDC, dropping Ron Yardley and appointing his very able personal assistant, John Whitehouse. Although not fully appreciating it at the time, this was a pivotal decision as John was a member of the Colong Committee, well acquainted with the Border Ranges issue which he was now being asked to solve. (Although unsuccessful on this occasion, it was a different matter four years later.)

Riding instructions given to the IDC members were for a small National Park, with no loss of jobs in the timber industry, the long-term viability of which was to be assured. The four public servants produced a compromise in nine days which was acceptable to the Ministers but not, as it subsequently transpired, to the public.

Jack Henry again proposed the purchase of the remaining eight years of Standard Sawmilling's quota for \$1 million. (When the company realised they had the Government over a barrel they upped their compensation claim to \$2 million and settled for \$750,000 tax free – equivalent to \$1.6 million.) Munro and Lever's quota was to be met by logging. Gradys Creek Flora Reserve and the Forestry Commission would spend \$2 million planting pine for them if they gave up their right to log Levers Plateau. "Snake Park", as it was later derisively called by the conservationists, was to follow the NSW/Queensland border for 50km but at an average width of only 2km and, adding insult to injury, Gradys Creek was to be added to the Border Ranges National Park after it had been logged "very carefully" for the 45,000 cu.m. of superb rainforest it

contained. The Development Coordinating Committee of Cabinet accepted the compromise arrived at by the four public servants; Paul Landa, Lin Gordon and Don Day being happy that they were at last off the hook. Eight months later, Paul Landa deeply resented the Premier calling the compromise “one of our slip-ups”.

John Whitehouse and I both lived at Lindfield. When he dropped by with a copy of their confidential report, I reacted strongly to the proposed logging of Gradys Creek Flora Reserve not only because of its magnificence but also because of the dreadful precedent set by logging a Flora Reserve. Reflecting my indignation he wrote a covering memo to his Minister stating that “The revocation of the Flora Reserve would require a specific Act of Parliament . . . strong criticism could be expected from conservation organizations”. Landa chose to ignore the warning and quietly passed the IDC report to Eric Coffey, Director of the SPCC, with the threat “if anyone loses his job over this Eric, you’ll be the first to go!”

A cynic once observed that politicians do not call public inquiries unless they know what the result will be, but in pre-determining this Inquiry, Paul and Eric were both guilty of deplorable duplicity. To maintain the pretence of an open independent inquiry the SPCC called for submissions from the public, receiving 168, two thirds being in favour of a National Park. Because I could not betray my source, I had to remain silent while the people preparing 1,309 pages of well-researched submissions wasted their time!

Believing that this was to be a genuine attempt to assess the various proposals on their merits, the conservation groups produced very detailed submissions. The Colong

Committee took the Inquiry very seriously indeed, writing to eminent citizens with a knowledge of the area, asking that they make a submission. Many did, but it was all in vain as the result had been politically predetermined.

Whilst the other media outlets gave the issue minimal publicity, the *Herald* could not have been more supportive. The editorial on 4 March, almost certainly written by Joseph Glascott, read: “The conflict between preservation of natural landscapes and exploitation of natural resources is highlighted in the case of the Border Ranges.

Undeniably the rainforest should be preserved and the best way of ensuring this is to dedicate it in a National Park”. The terms of the Inquiry Review were “to inquire into the likely environmental, social and economic impact of the seven options of the IDC having regard to the need to ensure maintenance of employment within the area”.

When the Inquiry opened in Kyogle on 21 March 1978, the Forestry Commission tabled a submission, the recommendation of which bore a remarkable resemblance to the second IDC Report – buying Standard Sawmilling’s quota and logging Gradys Creek. However, in order to provide an aura of verisimilitude, the Border Ranges were to remain under the control of the Commission. With breathtaking cynicism, the logging of the Flora Reserve was justified on the grounds that it had no special values in the same sense as Levers Plateau for which it was now being exchanged.

The Colong Committee’s expensive and controversial film on the Border Ranges, compered by Sir Mark Oliphant, was shown at the commencement of the three day Sydney Session. About 100 people attended each day and there was considerable media interest, especially when Dr Neville Schaefer presented his alternative proposals for a

large National Park with supplies coming from Urbenville in order to save Gradys Creek. The Forestry Commission's Frank Curtin argued with him for several hours and in the end Eric Coffey said he preferred the views of the experts.

The first IDC Report was placed on public exhibition and referred to at length in the Inquiry, but no mention was made of the confidential second IDC Report, the recommendation of which Paul Landa had ordered Eric Coffey to follow.

Understandably, therefore, Eric saw great merit in the Forestry Commission's submission, dismissing that of the Nature Conservation Council for a large National Park as "extreme".

Whether by design or default, the NPWS submission to the Inquiry arrived too late to be considered. The draft from which it was prepared gave a clear indication of the strong opinions of an unidentified NPWS officer, who wrote that the decision to revoke Gradys Creek Flora Reserve "was heard with disbelief as the Forestry Commission had always claimed that Flora Reserves were as secure as National Parks". The concluding comments were bitter: "I deplore the attitude of this supposedly responsible authority. The comments on wildlife are either misleading or untrue and should be disregarded in any consideration of the real issues". Unfortunately, the draft paper dealing with wildlife aspects was inadvertently included in the otherwise bland NPWS submission which then became public, resulting in an official complaint by the Forestry Commission and further animosity between the two Government authorities.

From the Government point of view it was indeed ironic that, in an endeavour to liberalise the very conservative SPCC, Paul Landa had appointed as members of the

Commissioner Len Willan and I, respectively Chairman and Treasurer of the NCC. When the Director's *Border Ranges Environmental Review* was placed before a special meeting of the SPCC on 12 April 1978 the discussion, quite uncharacteristically, became extremely acrimonious. Unwilling to accept the cynical political exercise orchestrated by the Minister, Len Willan and I had lobbied some of the other Commissioners. When I moved an amendment to include all of Wiangarie State Forest in the Border Ranges National Park and not to permit the logging of Gradys Creek Flora Reserve, the vote was tied. The consensus philosophy beloved by the Chairman, was in tatters and he was placed in the embarrassing position of having to use his casting vote. Later in the dramatic meeting Eric Coffey was persuaded to accept minor additions to the Park, provided there would be no loss of timber.

Believing that there was still a possibility of overcoming this disaster, I had a private meeting with Premier Neville Wran during which I told him bluntly of the prostitution of the decision-making process. I sought his support to save Gradys Creek from being logged and to put the whole of Wiangarie in the Park when logging was finished. If he knew of Landa's duplicity he was not about to admit it to me, however, he was sympathetic to my plea to save the Flora Reserve and at the Cabinet meeting at Griffith on 2 May, insisted on adding a rider that "the timing of the commencement of the logging of Gradys Creek be determined by the Forestry Commission in consultation with the SPCC".

Media and public reaction to the announcement by the Government on 4 May of a small National Park and continual logging of rainforest was uniformly hostile. The *Herald* editorial was appropriately headed "Hopes Betrayed". Commenting that, due to

Government expediency, the sawmillers and the Forestry Commission had won handsomely, it added that “by some strange reasoning Gradys Creek Flora Reserve, which was preserved because of its special scientific and ecological values, has suddenly become expendable despite the fact that the dedication stated that it would be preserved for all time”. The editorial concluded that “the long agonising process of inquiries has resulted in a scheme which protects not the rainforest but the sawmilling industry”.

Bruce Adams, Manager of ACS, unwisely claimed in a letter to the *Herald* that no one had nominated alternative sources of supply and that most conservationists were satisfied that the result was fair. Chris Pratten refuted these claims, pointing out that:

the members of NCC did not accept the decision to create a minuscule park, nor did they accept the procedures which led to that decision. Alternative sources of supply were placed before the Inquiry by both NCC and Dr Neville Schaefer but they were ignored.

In the furious debate which raged, the Forestry Commission tried to avoid blame by claiming that it was a Government decision, hypocritically ignoring the fact that it was their recommendation to log the Flora Reserve. The North Coast branch of the Institute of Foresters, whose members had initially recommended that Gradys Creek become a Flora Reserve because of its unique ecological interest, wrote to the *Herald* expressing their deep concern at the precedent which would be established by its revocation. NCC’s press release on 5 May, headed “Conservationists shocked by decision on Border Ranges”, read in part:

Mr John Hibberd, the Council’s executive Secretary, said that the Government had sold out its environmental standing for the sake of political expediency. It has ignored solutions presented by Dr Schaefer and the Nature Conservation Council which detailed the existence of alternative

timber supplies which would, if adopted by the Government, have enabled a National Park to be declared over the whole of the three State Forests while also increasing local employment.

Cabinet members have quite obviously and quite shamefully been only concerned with ensuring that Don Day retains his Casino seat – whatever the price to the community in the long term.

In the first Colong Bulletin after the Inquiry, Alex Colley wrote:

There is a decidedly “Alice in Wonderland” aspect to the Inquiry – sentence first, trial later – largely due to the speed of the SPCC Report. The discussions concluded on April 3 and the final Report is dated just two days later. As the Commissioners did not read the submissions, all they knew was what was contained in Director Coffey’s ten page Report which reflected the Forestry Commission viewpoint. There is a growing conviction in conservation circles that the Inquiry was a charade staged to add verisimilitude to an otherwise insupportable decision.

As I believed that it was essential to discredit the SPCC Report, I told Chris Pratten (NCC) and Peter Prineas (NPA) of the cynical deception and both had letters published in the *Herald* which strongly hinted at the official duplicity. In addition Ian Frykberg, the State Political Correspondent, after talking to me, wrote a very critical article under the headline of “How Jobs Trumped Conservation”, in which, after recounting the whole sorry saga of inquiries designed to save Don Day’s Casino seat, he revealed that the Government had decided the outcome of the SPCC Inquiry three weeks before it began. In his angry response, Don Day, denying that the continued logging was to save his seat, failed to mention this penetrating observation.

A month after the announcement, when the Government was being strongly attacked by all the conservation groups, I wrote privately to Neville Wran “to express my very sincere thanks for your personal interest in stopping the Levers Plateau forestry road in 1976 and supporting the Border Ranges park proposal right to the end”. I understood

the political constraints he was under and made allowances, but most of the conservationists were unforgiving. I also knew that it was Paul Landa who was really to blame. In his reply he wrote that the problem was a vexing one but that he had tried to arrive at a sensible solution: “it is therefore most heartening to receive your support”. Four long years later it was most heartening finally to receive his support for the whole 33,000 ha to become park!

The first reaction of the conservation movement to the decision was to urge the Government to put the whole of Wiangarie State Forest in the National Park now and permit the logging to continue until the licence expired in 1979. This would have created an extremely bad precedent and was dropped in favour of saving Gradys Creek.

At the Inquiry the Forestry Commission contended that “all in all a Flora Reserve has similar safeguards for preservation of natural areas as those administered by NPWS”. Questioned during the Sydney hearing when Frank Curtin said he knew of no study of Gradys Creek Flora Reserve, Milo Dunphy tabled Alex Floyd’s paper extolling its virtues when proposing that it become a Flora Reserve. Frank Curtin remained silent.

At the NCC dinner following their October Annual Conference, the Premier, who was guest speaker, confirmed to Len Willan and me that he was opposed to the logging of Gradys Creek, and promised to have a word to Paul Landa. Just in case he forgot, Len and I discussed this thorny issue with Landa who said that he definitely wanted the Flora Reserve logged last. As Director Eric Coffey had clearly not been so informed, Chris Pratten, Chairman of NCC, signed a letter drafted by me to the Chairman of the SPCC, passing on the views of his Minister with the telling comment that “it would

seem to our members quite absurd to permit the logging of Gradys Creek now because of a possible shortage of brushwood in 14 years' time". For good measure, the letter noted that "one of our executive members, Professor Carolin, was the Chairman of a Government advisory panel which recommended as long ago as 1972 that Gradys Creek should become part of a National Park on the NSW/Queensland border".

For the next seven months following the April 1978 decision, the 10 Commissioners on the SPCC were deeply embroiled in this most contentious issue. Director Eric Coffey strongly defended his flawed report on the Border Ranges but as a result of considerable adverse publicity and the persistent lobbying of Len Willan and I, a majority of the Commissioners voted to withhold agreement to log Gradys Creek Flora Reserve on the grounds that such a sensitive area should be logged last. My earlier visit to Premier Wran, which resulted in the need for agreement on the timing of the logging, provided me with a powerful weapon which I was determined to exploit.

Agenda items for the monthly SPCC meetings were normally prepared by the staff under the supervision of the Director but as I well knew that the two staff concerned were constrained, I took the unprecedented step of submitting my own Agenda papers. My first, to the May 1978 meeting, dealt with the establishment of the Flora Reserve in 1973 and quoted the immortal phrase in the Management Plan that it was to preserve the area "for all time". The views of the Forestry Commission were sought and they responded to the June meeting with a lengthy rebuttal designed to show that there was no alternative to logging the reserve. I then submitted another paper to the July meeting demonstrating, using Forestry Commission data, that there were alternate sources of

brushwood in the Urbenville area sufficient to offset the 45,000 cu.m. which they were determined to log within the Flora Reserve.

At the October meeting a letter signed by Frank Curtin requesting immediate approval for the logging of Gradys Creek was the subject of animated discussion for two hours. Next month another letter arrived providing further details of their plan to log 2,000 cu.m. each year for the next seven years, but I managed to see it before the monthly meeting on 24 November. Commission officers Bosward, Smith and Gilpin, now aware that their Director had been out-manoeuvred, happily accepted my suggestion as to the wording of the reply. So it was that the draft letter in the Agenda paper read: "It was the view of the Commission that logging should be deferred as long as possible in order to take advantage of any change of circumstance which would lead to avoiding the logging of the Flora Reserve".

In order to ensure that the draft letter to the Forestry Commission would be approved at our next meeting, I gave a copy of their October ultimatum to Joseph Glascott, which resulted in the publication in the *Herald* of two articles, 11 letters a leader castigating the Government "which, for political reasons, has got itself into a mess over the preservation of rainforests. It should sort out its priorities and make a stand on Gradys Creek". Now under pressure from the media as well as Willan and me, a majority of the SPCC Commissioners rejected the ultimatum and approved the draft letter. In a congratulatory letter to Joseph Glascott I stressed the fact that the turnaround in the SPCC would not have been possible without his support; it was the publicity in the State's leading newspaper which broke the impasse.

Senior public servants reacted to the publicity by spreading the word that Gradys Creek was safe because the necessary legislation to revoke the Flora Reserve would not be passed. Lin Gordon did in fact propose revocation in September but the Premier refused, claiming that it was too near the election. (As it was part of the Forestry Commission's estate, revocation was technically unnecessary, but so sensitive was the issue that when logging commenced they wanted to be able to claim that it was not a Flora Reserve.) As Len Willan and I were not willing to accept this legal compromise, we encouraged members of the SPCC to take an even stronger line with the Forestry Commission, a course of action possible because our supporters there gradually increased from four to eight as a result of our continued lobbying. The Chairman was forced to yield to the majority while Eric Coffey remained silent.

Paul Landa was reported to be furious with the SPCC and with me for orchestrating the adverse publicity, but when we next met he laughingly said he would open a bottle of champagne in his office when I stopped talking about Gradys Creek. I replied that it was my firm belief that the squeaky door gets the oil! Naturally both Eric Coffey and Paul Landa guessed that I was the one saying that their Border Ranges Inquiry was a fraud, so when I was guilty of a technical breach of the confidentiality of one of my own SPCC Agenda papers, Eric demanded my immediate dismissal. Paul refused but asked me to end the feud. I tried but was rebuffed.

Throughout 1978 the flow of letters to the *Herald* continued unabated. In August the Letters Editor commented that "the conservation cause has become a prominent social force . . . and it is impossible to publish more than a small proportion of the letters received. The weight of correspondence indicates the fierceness of the controversy". A

good example of this was when George Baur claimed that rainforests do regenerate, but Alex Colley responded with a devastating quotation from Baur's own publication, *The Ecological Basis of Rainforest Management*, in which he stated that managed (ie logged) rainforests "will in time become merely impoverished relics of the rainforest's primeval richness".

Instead of responding positively to the clearly signalled change in community attitudes, the senior staff of the Commission identified with the sawmillers they were established to regulate, complaining bitterly about the "ill-informed vocal minority". Even later, when numerous public opinion polls clearly showed that the minority had become a majority, they failed to respond in a positive manner to the continuing criticism.

Twenty years later, Bill Harding, the retired Director of Finance of Qantas, now living near retired Jack Henry in Epping, asked him his opinion of me. The reply was "quite obsessive on forestry matters!"

The Hon John Holt, a friend of Milo and a long time supporter, launched a strong attack on the Government in the Legislative Council in November: "Perhaps the most disturbing aspect of this abysmal exercise in political compromise was the recommendation to log Gradys Creek Flora Reserve, proclaimed by the Forestry Commission in a fit of unctuous enthusiasm in 1973". An embarrassed Paul Landa replied: "I assure the honourable member that the question of logging Gradys Creek has to receive the approval of the State Pollution Control Commission and that the matter is still under consideration by the Government".

In fact the whole issue was so controversial that it remained “under consideration” for the next four years. The Forestry Commission ceased appealing to the SPCC, sulked for several years and then obtained the required quota of 2,000 cu.m. per annum from Urbenville, thus adopting my “impractical solution”. Frustrated by their failure to revoke and log the Flora Reserve, they refused to revoke the portions of the three State Forests which were to be included in the “Snake Park” approved by Cabinet. Equally frustrated, NPWS gazetted a small strip of vacant Crown Land adjacent to Gradys Creek Flora Reserve, calling it the Border Ranges National Park. The rest of the area remained in limbo.

The October 1978 State election was fast approaching. Ministerial advisers hoped to prevent any criticism of the Government’s indefensible decision by refusing to revoke the Flora Reserve and promising to put the whole of Wiangarie State Forest in the park next year, but the Colong Committee refused to go quietly, writing to all Sydney Labor candidates informing them that it was “considering” standing a conservation candidate in their electorate. The resultant cries of outrage from ministerial advisers led to the idea being quietly abandoned! However in the Casino electorate, Peter Den Exter, an academic who had played a leading role in the campaign, decided to stand as an independent against Don Day. During the heated campaign it was alleged on ABC radio that Paul Landa had tried to buy him off with the same sweetheart deal which he had secretly offered the Colong Committee. Sydney conservation groups contributed \$1,000 to fund the publication of 10,000 copies of an eight page tabloid. An article in it by Peter Prineas entitled “Through the Coffey Grinder”, which exposed the fraudulent Inquiry, greatly upset the Director.

In the so-called Wran slide election, Don Day increased his vote while Peter Den Exter received only 360 – a disappointing 1.6% of the total. Cynics observed that many of his supporters were Nimbin “alternatives” who were not on the electoral roll. In retrospect, the actions in Sydney and Casino demonstrated poor political judgement. Sadly Peter was killed in an accident a few years later.

Some years later Neville Wran told me of an amusing incident which occurred when Don Day invited him and Eric Booth to visit his electorate in order to see for themselves the excellent job the Forestry Commission was doing in the Border Ranges. Instead of persuading them to Don’s point of view which was influenced by the fact that Casino was a timber town, both Neville and Eric, overcome by the magnificence of the rainforest, secretly agreed that the area should be preserved in perpetuity as a National Park, but they did not tell Don!

Following a letter to the *Herald* from John Hibberd (NCC) attacking the “incredible proposal” to log Gradys Creek Flora Reserve, Jack Henry tried to deflect criticism in his reply by claiming that NPWS had not identified it as having any particular conservation interest, conveniently ignoring the fact that five years earlier, Alex Floyd, his own Research Scientist, had recommended (and he had accepted) that it should be “preserved for all time”.

After six years of controversy, by mid-1979 the proposed Border Ranges National Park was no longer an issue in the media. Certainly Gradys Creek appeared to be safe and Munro and Lever had been denied Levers Plateau, but these two iconic areas only constituted about one tenth of the original proposal. The Government just wanted the

rainforest issue to go away and the sawmillers must have thought it had. The many thousands of concerned conservationists would have found their frustration easier to endure had they known that it was merely the calm before the storm.

Chapter 7 – Terania Creek

During the 1970's a number of young professional people living in Sydney and Melbourne moved to the North Coast for a different lifestyle, many settling around Nimbin. Hugh and Nan Nicholson bought an abandoned dairy farm at the end of Terania Creek Road in 1974 in order to develop a native plant nursery. Their property adjoined Whian Whian State Forest which contained at the head of the valley a magnificent though small stand of rainforest. In May 1975 they discovered that the Forestry Commission intended to log the area, so, with other idealistic refugees from urban life, the Terania Native Forest Action Group (TNFAG) was formed to oppose the Commission's plans.

An enthusiastic but low-key campaign succeeded in persuading the Commission to modify its proposal; the 77 ha of pure rainforest would be preserved but the brush box and blackbutt would be selectively logged. TNFAG rejected this compromise and continued their campaign at a local level. As Premier Wran did not relish another damaging rainforest dispute he sent Lin Gordon up to investigate and in a monumental error of judgement he reported that it was only a local dispute which the Government could ignore. TNFAG's continued calls for an Environmental Impact Study were also rejected by the State Pollution Control Commission which recommended that logging proceed. In fact, from the beginning of concern in May 1975 until physical confrontation in August 1979, all the bureaucrats and politicians concerned with the issue misread the situation and their futile attempts to defuse it only hardened the resolve of the members of TNFAG.

The Ombudsman's office was drawn into the controversy when Michael Murphy, Secretary of TNFAG, complained that the Forestry Commission had acted contrary to the SPCC's Environmental Standard EI-4 in that it did not carry out an Environmental Impact Study before deciding to log Terania Creek. In a long and comprehensive reply, the Deputy Ombudsman, Paul Stein, quoted from a letter written by the Minister for Planning and Environment to the Premier on 14 March 1977 which stated that "the SPCC has concluded that there is insufficient evidence before it to justify its intervention in regard to the proposed logging operations . . ." Paul Stein therefore concluded that the Forestry Commission, in not referring the proposal to the SPCC, could not be seen to be acting wrongly in that, "having been acquainted with the SPCC's conclusion, it was not unreasonable for the Forestry Commission at that time to assume that the EIS was not required". However, he felt constrained to make certain further comments:

It is discernable, after exhaustive examination of the Forestry Commission's files, that some of your officers have expressed viewpoints and attitudes towards some of the objectors which display unnecessary bias and prejudice. It is unfortunate that their objectivity may have been clouded by their personal views. Also, on some occasions, some officers appear to have adopted an unnecessary adversary position in relation to the objectors. I regard this as most unfortunate.

Commissioner Jack Henry, to whom the report was sent on 22 June 1979, would have been most unhappy with the final paragraph, which read "I have supplied a copy of this letter to your Minister, the Premier and the complainants".

Throughout this narrative numerous instances have been given of duplicitous conduct by our opponents; it is therefore desirable that mention be made of one by conservationists. TNFAG tried hard to obtain the support of the Sydney conservation groups but, apart from some moral support from NPA and the National Trust, there was

little sympathy, the conventional view being that a small group of “hippies” were merely protecting their own backyard. The Colong Committee considered that the 770 ha involved was insignificant compared with their proposed Border Ranges National Park of 33,000 ha. Milo Dunphy had not visited Terania Creek and did not know the TNFAG leaders, so when ministerial advisers sought his views on the likely reaction of the Sydney conservationists, they were told not to worry.

After an inspection in May 1979, Paul Landa decided to tough it out. Len Ferguson, President of ACS, reflected local feeling when he was quoted as saying “we are concerned that a vocal unproductive group, most of whom appear to rely on welfare payments, should frustrate the rights of the productive majority to earn a living”.

With logging imminent, protesters from all over the North Coast set up camp on the Nicholsons’ property so that when the first bulldozer arrived on 16 August 1979 it was physically stopped by 200 well-organised people. Cries of “anarchy” and “terrorists” resulted in 120 police being called in to maintain law and order. The physical confrontation, with protesters being dragged by police from logging machinery, was unprecedented and took the Government completely by surprise; their embarrassment was acute. The media loved the drama; TNFAG members used their skills to provide stories and images with such effect that for two weeks Terania Creek and the rainforest there became the most newsworthy event in the State.

Lin Gordon, the minister responsible for this political disaster, sought to justify his decision to confront the “alternatives” by claiming, correctly, that the protesters were alone in their demand for an EIS. Milo immediately prepared a statement which went

to all members of Parliament, quoting supporting statements from NPA, ACF, TEC, National Trust, Friends of the Earth, Wildlife Preservation Society and the Colong Committee. Haydn Washington, Colong Vice-Chairman, wrote: "The people of Terania Creek are the first local residents in the history of NSW to place themselves between a bulldozer and a forest". Clearly, all the Sydney conservationists were now cheering those brave souls who were physically confronting the enemy rather than merely demonstrating or writing letters, but this sudden recognition of their altruism was certainly duplicitous.

The protesters took great risks in tying themselves up trees marked for felling and many were arrested, but the Gandhian peaceful methods adopted were not successful in stopping the relentless destruction of the rainforest as the road advanced into the valley. Disobeying the consensus decision of the non-violent majority, two young students slipped into the forest one night and located the trees marked SS (Standard Sawmilling) which were to be felled next day. With the aid of spiked boots and a belt, one climbed well up each tree, driving in 12 inch nails at random. It took five hours to spike 20 trees and another hour to make deep cuts with a chainsaw in the felled trees awaiting removal. When the logging crews arrived next morning and read the warning notes, they knew they were beaten, as the doctored trees could neither be felled or milled without subjecting the workers to extreme danger. Ironically, it was this sabotage, disowned by the anti-logging protesters, which finally ended the destruction in the rainforest. With this act of desperation the protest ceased being non-violent and peaceful, but it was successful.

The 41 arrested all pleaded not guilty to charges of obstruction when prosecutions began in the Lismore Court House 10 months later. Pro bono legal assistance, which was readily available, resulted in the proceedings against the first three lasting five days with most charges being dismissed. The police had removed their badges to avoid identification but there was extensive video footage of them assaulting protesters. When one protester was convicted on a charge of resisting arrest and fined \$30, he immediately appealed and it was clear that others, if convicted, would do likewise. The Magistrate quietly suggested to the police that in view of the waste of court time and their resources, they reconsider the remaining charges. They happily agreed and dropped them all.

Although the protest camp of about 200 people lasted a month, according to Nan Nicholson there were only eight days when loggers and police actually clashed with the protesters. On the other days time was spent informing the media, preparing food, minding children, attending tactic meetings and in general solving problems and boosting morale.

In order to slow down the logging operation, the road block group stopped public access using large boulders, dead trees and vehicles, while those agile and game enough climbed trees in the path of advancing bulldozers, effectively slowing the progress of the road into the unlogged parts of the forest. Scouts equipped with CB radios hid on the adjacent ridges and trail bike riders patrolled the roads. Because of infiltration by informers, the core group held policy meetings away from the regular evening camp-fire meetings. One group looked after the legal detail of arrests, arranging bail and collecting statements, while another group using borrowed copying machines produced

information for distribution to residents, loggers and police. A camp group organised toilets, showers and a constant supply of firewood while a kitchen group did the cooking. A system of coloured armbands was devised to represent the various groups, with frequent role changes to ensure that no one person was invested with too much authority. Slackers and drifters were ignored or asked to leave. Some nudist protesters had to be convinced that the sight of pubic hair did nothing to persuade conservative visitors that the rainforests needed saving!

Nan Nicholson wrote at the time:

Morale within the original group which had opposed logging for five years, vacillated between euphoric confidence and black despair. All the twenty landowners were of similar age, around thirty, mostly dropouts from city professions and with similar left wing leanings. There was no leader at all. No one was allotted tasks by others – all effort was voluntary and a formal structure with office-bearers was not contemplated. The effectiveness of TNFAG sprang largely from the skills acquired in tertiary education and previous professions. Five years of campaigning before the confrontation bred a self righteous resentment that foresters, sawmillers, politicians and public relations men were paid to commit what the group considered immoral acts. The confrontation itself was a major event in our lives. The simultaneous denigration and acclaim from the outside world inspired delusions of grandeur as well as self justification. The largest, most amorphous but finally most important support group was the voting public in the cities who thought that rainforest should not be logged.

Writing in *Nation Review* on 30 August 1979, Mark Hayes said: “A festival atmosphere pervades the camp – colourful tents draped with protest banners, cooking fires sending up blue smoke, children playing in the grass and paddling in the creek, people gathered about the camp talking and playing musical instruments”. Music maintained morale in the tussles with police. One of the many songs written and sung was:

Take your bulldozers from under our noses,
We're not as gutless as a sawmill supposes.
Hands off our greenery,
Take home your machinery,
Take your bulldozers away.
Standards Mill to the devil,
Choke on your sawdust, you're not on the level.
Save our forests forever,
Take your bulldozers away.

Craig McGregor wrote a leading article in the *Herald*:

When the sawmillers arrived to begin logging they found their bulldozers bedecked with flowers and were met with singing, chanting demonstrators playing guitars, mandolins and flutes. But when it began to move into the forest, everything changed. A wave of anger and resentment swept through the crowd. People began shouting and jeering. The police dived in and began making arrests. Helicopters circled overhead. Noise. Panic.

Horrified by the sight on the television news each night of the battles between police and protesters, Premier Wran told the sawmillers and the Forestry Commission to “get out of the forest before someone is killed”, complaining to the media that “the issue had got out of hand and out of all proportion”. In the Cabinet meeting on 4 September he used a huge pile of telegrams from Labor Party branches to such effect that the vote for the Inquiry he proposed was 11 to 7. In order to change the pro-logging stand of Caucus, he asked Alan Stewart, Member for Manly and a keen supporter of our campaign, to lead a fact-finding inspection by a dozen back-bench members. Although as a biologist he was well-qualified to lead the party, Alan was so worried that the Forestry Commission officers would dominate that he arranged for John Whitehouse,

Len Webb, Marilyn Fox (National Herbarium) and Lorraine Cairns (NPWS) to accompany the party.

On arrival at Casino airport they were met by about 300 pro-logging demonstrators chanting “We want jobs” and displaying placards reading *Wran the hippie king* and *We want jobs, not hippie slobs*. Entering Goonimbar State Forest they were ambushed by hostile demonstrators. The situation was so ugly that escorting police advised the party to remain in their vehicles, which they did for some time. Next day, at Terania Creek, the party of 19 were again met by demonstrators chanting “No more National Parks” and making highly derogatory remarks about the Labor Government. Boarding the aircraft to return to Sydney they were seen off by another rowdy group of pro-logging demonstrators.

In his report to Premier Wran, from which the above incidents are summarised, Alan Stewart wrote: “I am firmly of the opinion that the present suspension of logging in Terania Creek should continue pending a comprehensive public review of the factors which could adversely affect the environment”. (In his biography, *A Hard Row to Hoe*, Alan Stewart wrote: “The two days we spent in the rainforest at Terania Creek were the highlight of my career as a Member of Parliament”. When he lost his seat at the 1984 election, he ruefully remarked that there are no rainforests in Manly!)

As agreement on the rainforest issue could not be reached at the Cabinet meeting on 11 September, a sub-committee was set up to visit the area and report back to the next week’s meeting. Lin Gordon was leader, the other members being Ministers Landa, Cox, Bedford, Hallam and Jackson. Instead of being greeted at Casino airport by

abusive loggers they were met with music and song from anti-loggers carrying placards reading *Thank you for coming* and *Save the forests*. Commissioner Jack Henry and District Forester John Bruce took them on an inspection of a valley similar to Terania Creek which had been logged two years ago, pointing out the lack of damage and healthy regeneration. Next day they visited Terania Creek and interviewed those for and against logging. The whole region was polarised over the issue. Long-time residents formed the Tweed Action Group to fight the spread and influence of the “alternatives”, called “dirty hippies” by Lin Gordon. One of their signs read: *Greenies are greedy, they want the lot, if you ask me, they should be shot.*

The dominant right wing faction of the Labor Party was pro-logging because hundreds of jobs on the North Coast would be lost if the mills closed. The Premier and his Deputy, Jack Ferguson, were members of the right wing, as were Lin Gordon and Don Day, while Paul Landa, who wanted to save the rainforests, was a member of the left wing faction. Alan Stewart and Maurie Keane, back-benchers who supported our cause, realised that there was little hope of winning in Caucus unless both Wran and Ferguson spoke strongly in support. On the Tuesday evening prior to Wednesday’s Caucus meeting, they waited for several hours to see Ferguson who greeted them with: “You bastards think you’re the conscience of the party! It took a bottle of scotch with Nev but you’ve got what you want”.

Understandably Cabinet members were worried because the Labor Party was in a “no win” situation. If logging resumed they would be accused of selling out the conservation movement which had supported the Party, but if logging was stopped

permanently they would be in conflict with the sawmilling industry which was a major employer.

At the Cabinet meeting on 25 September, Premier Wran announced the appointment of a retired Supreme Court Judge, Simon Isaacs QC, “to conduct an inquiry into the environmental factors associated with the proposed logging of Terania Creek and recommend whether logging should or should not proceed”. Next day the Labor Caucus spent almost two hours discussing the issue, deciding by 45 votes to 15 to uphold the Cabinet decision for an independent public inquiry. Don Day absented himself because of conflicting loyalties.

Country Party leader Leon Punch said the decision spelled the end of the timber industry in NSW. In the Legislative Assembly that afternoon he moved an Urgency Motion deploring the decision to delay logging because “the Government was bowing to the demands of the rabid conservationists against the expressed wishes of the vast majority of the local people”. Opposing the Urgency Motion, Premier Wran said the Government had initially made a mistake in not sticking to its policy of requiring an Environmental Impact Study. He then proceeded to blame the SPCC for poor advice and Sydney conservation groups for not showing any interest. Milo Dunphy was attacked for claiming that the Cabinet decision showed that a concerned local group had a veto over development. The motion was defeated along party lines.

As Northern Star Holdings effectively controlled most of the media outlets on the far North Coast, the local reporting was hostile and extremely biased. On 24 August the *Northern Star* editorial read in part “If groups such as those at Terania were allowed to

go unchecked, chaos would be upon us and the economy ruined”. A letter to the Editor mentioned “a revolution to break down the laws and rights of our society”. The divisions in the community were fanned by pictures of people holding placards reading *Hippies must go* and *Pay cheques not dole cheques*. When Nan Nicholson attacked the paper for trying to drive a wedge through the community, the next day’s editorial began: “When a Government yields to pressure from the mob . . . the system of governing must fall into disrepute”.

In his *Fashioning Australia’s Forests* (1995), Dargavel neatly summarised the issue:

A direct confrontation erupted over a quite small basin of some 700 ha at the head of Terania Creek, 25 km south of the Border Ranges. When the Forestry Commission started to build a logging road in 1979, the Channon residents were joined by hundreds of protesters who lay in the path of bulldozers, jumped on trucks, sang songs and spiked trees. It was the first forest blockade. The Commission huffed, the industry puffed, the police came, arrests were made and it all made splendid television. The Government set up yet another inquiry which recommended that Terania Creek be logged.

Chapter 8 – The Terania Inquiry

After the euphoria of winning in the forest came the dreadful anti-climax of the Inquiry. To the local protesters and the Sydney conservationists it was a frustrating nightmare, for the judicial process, as determined by retired Judge Simon Isaacs, could not cope with the emotional aspects of the issue.

The Colong Committee combined with NCC, TEC and Ecology Action to present a joint submission with contributions from Dr Len Webb, Ray Hammond, Peter Phibbs, Dick Thompson and myself. Edited by Elizabeth Elenius, Project Officer of NCC, the submission went far beyond the immediate issue of Terania Creek and was therefore largely ignored. The Inquiry was conducted on adversarial lines and many weeks were wasted because the Judge insisted that the 128 submissions (all but 40 against logging) be read into the transcript. Many statements were challenged by Forestry and deleted by the Judge.

In retrospect it was naïve of the conservationists to place any faith in this Inquiry, having lost four earlier ones, but believing the Government was sincere, they took the challenge seriously. Scientific evidence was given by John Williams (University of New England), Marilyn Fox (National Herbarium), Alex Floyd (NPWS) and Len Webb (CSIRO). On their side, the Forestry Commission presented a submission by Dr McIlroy, a senior CSIRO scientist, which stated that logging would have little or no effect on wildlife. His view was challenged by a forthright Dr Harry Recher of the Australian Museum, resulting in a written complaint to the Director of the Museum by the Secretary of the Forestry Commission. Fortunately for Harry, Des Griffin fully supported the right of his employee to speak openly despite Section 11 of the Public

Service Act which prohibits public servants from commenting adversely on other branches of the Service. Harry had never suffered fools gladly and it was the spectacle of this elderly Judge, completely lacking any botanical knowledge, deciding abstruse ecological problems, which so appalled him that he publicly described the Inquiry as a “political gambit and an intellectual farce!” Dr Stephen Clark of Macquarie Centre for Environmental Studies and Phil Colman of the Australian Museum presented a paper on the importance of island reserves, which the Judge ignored.

As an accountant, my evidence was designed to show that the logging of 1,280 brush box and blackbutt trees would have a negligible effect on the profits of the sawmillers involved and no jobs would be lost if they were not logged. The Forestry Commission did not contest my claim that the effect of not logging would be the completion of the cut seven months earlier in 2000 in the Mullumbimby Working Circle, and 25 days earlier in the Murwillumbah Working Circle. However, the Judge said that the evidence of the Lismore Chamber of Commerce “constituted a powerful factor to be taken into account”, indicating that he accepted at face value the exaggerated claims made by the sawmillers and the Forestry Commission. His statement that “any further reduction in supplies might well have disastrous results” was quite clearly an absurdity because he failed to appreciate that during his 20 month Inquiry the two mills concerned obtained their supplies from other parts of the working circles.

Dr Ivan Newman, a retired scientist who had held professorial and research positions in the field of plant morphology, was encouraged by Milo Dunphy to prepare a detailed analysis of the floristic effect of the fifty percent canopy retention policy practised by the Forestry Commission in rainforest logging. After a meticulous study of their claims

that the operation of the policy leaves the forest in a healthy and viable condition, capable of production into the future, he reported “I regret to have to say that I cannot find any support for these claims. The study covers a mere seven years which is too short in relation to the proposed logging cycle of fifty years, let alone the three century life span of many of the trees”. The Judge dismissed Dr Newman’s evidence as irrelevant to his terms of reference, which it was. In its submission to the Inquiry, the Ulitarra Society of Coffs Harbour stated that “our members take affront to the suggestion that uninformed visitors could not distinguish between logged and unlogged forests”, describing the understorey after logging in Wiangarie State Forest as “a maze of bare earth and bulldozed tracks”. Ian Olsen, President of the NSW Federation of Bushwalking Clubs, told the Inquiry of the almost impenetrable growth of scrub and weeds in areas logged 10 years earlier and drew the Judge’s attention to the fact that NPWS reported in 1977 that 250 ha of dry rainforest in Limpinwood Nature Reserve, much of which had been disturbed by logging and fire, was now heavily infested with lantana.

The Forestry Commission case was led by Wal Gentle who argued that the area they wished to log was mostly hardwood and never would become rainforest; their constant refrain was that the dispute had been mislabelled a rainforest issue. All parties were required to state at the outset whether they were pro or anti logging, much to the dismay of NPWS which, under direction from Minister Bedford, wished to take a neutral position and be in the position of *amicus curiae* – a friend of the court. As the Judge would not accept this, NPWS withdrew as a full party, thus relinquishing their right to cross-examine Forestry Commission witnesses. In retaliation, NCC wrote to the Premier, releasing a copy to the *Herald*, asking him to intervene to allow NPWS to

participate on an equal basis. When undue influence was denied, NCC gave the media a copy of the transcript showing the Forestry Commission attempting to prevent a NPWS representative attending the site visit on the grounds that the area was not a National Park!

The absurdly high cost of the Inquiry became a subject of media interest after I prepared a statement showing that the direct cost was \$650,000, but \$1 million was widely quoted as the total overall expenditure. Apart from the expensive Judge, who initially refused to act for the fees offered, two barristers and three solicitors were paid by the Government. The Assisting Counsel was Brian Tamberlain (now a Judge), the Forestry Commission barrister was Keith Officer, while Rod Madgwick and later Geoff Graham acted for the five conservation organisations.

Milo Dunphy and the Judge crossed swords on the first day and later TEC also withdrew in a blaze of publicity causing the Judge to describe their actions as “propaganda”. Although earlier failing to silence Harry Recher, Wal Gentle tried again with Marilyn Fox, reminding the head of the National Herbarium of the provision in the Public Service Act which prevents public servants from criticising other sections of the Service. When the attempted censorship was raised at the Inquiry it was vigorously denied. When ABC Radio’s Peter Hunt was collecting material for a *Science Show* broadcast, he was given a copy of the transcript which he used with telling effect, accusing Wal Gentle of attempting to prevent Marilyn Fox from expressing her professional opinion. He was so annoyed that he refused to continue the interview!

Peter Hunt also interviewed Harry Recher who complained that scientists employed by the Government were not given the opportunity to speak openly and freely; the expertise paid for by the people of NSW was not available. As I realised that the accusation of attempting to silence witnesses was very damaging to Wal Gentle's credibility, I alerted Jill Wran to the forthcoming ABC broadcast. Peter Meredith in *Myles and Milo* gives Neville's comment: "When the show came on we were in the kitchen. She turned up the volume saying listen to this, listen to this, so listen I did and offended I was".

Hearing in advance that the coming Saturday's *Science Show* was about to be critical of his conduct of the Inquiry, the Judge threatened legal proceedings if it went to air, but fortunately the ABC ignored his threat. No doubt he too was offended when he opened Monday's *Herald* to see the bold headline on the Science Reporter's article *Terania inquiry a farce says ecologist*.

On one of the three visits to Lismore the Inquiry team spent two very wet days travelling around in a fleet of four wheel drive vehicles and on the third day walking in the rain in Terania itself. The party of 23 (pro and anti loggers being kept separate), included Len Webb, Peter Prineas, Nan Nicholson, Michael Murphy and myself. The Judge would not allow any mention of the forest blockade (because court actions were still pending) or allow anyone to ask questions, but some of our group made forthright statements which led to acrimonious exchanges on such contentious matters as erosion, weeds and regeneration. Michael Easson, representing the Labor Council of NSW, went on the record deploring the likely job losses, unaware of the fact that the Forestry

Commission had confirmed back in Sydney that there would be none. Overall the three inspections were a colossal waste of time and money.

During the Lismore hearings in July 1980, David Barnett repeatedly raised the injustice of the SPCC handling of the Gradys Creek issue even though it was quite irrelevant. He was very concerned for the future of Munro and Lever's \$2 million investment at Grevillea, giving evidence that he had written to the Premier on three separate occasions but had no satisfactory response to his proposition that if the revocation of the Flora Reserve was not forthcoming, they should be allowed to log Levers Plateau instead. As the Premier had been personally involved in protecting both of these areas, this showed how out of touch he really was.

Evidence was given that Don Day had informed the ACS that the availability of Gradys Creek depended on the outcome of the Terania Creek Inquiry. This appeared to be pure invention because he well knew that there was no connection between the two – it was the SPCC which had refused permission to log Gradys Creek. However, this mischief-making made David Barnett even more apprehensive. He implored the Judge to intervene, saying:

I don't believe we're talking about Terania Creek; we are talking about the future of the indigenous timber industry in NSW. If we are denied Gradys Creek, Munro and Lever will close down. With the plant lying idle there will be a massive decline in the town of Kyogle.

His dire forecast was partly right – five years later they did close down, but Kyogle is thriving.

The submission from Standard Sawmilling Co Pty Ltd began by stating that the resolution of the issue was of critical importance. Their Managing Director and

accountant gave evidence over four days, claiming gross exaggeration in that “the public have been misinformed by a small group of people through an extensive and well organised media campaign”. The Judge inadvertently led the two witnesses into an embarrassing admission of illegal conduct by breaching tax law in the first half of the 1970’s. Because he was unable to understand their reference to the “true cost” of the \$1.5 million development expenditure, he sought an explanation, forcing an admission that the labour element of new buildings and equipment had been treated in the accounts as normal operating expenditure instead of being capitalised and depreciated over a period, thus reducing the disclosed profits and hence company tax. Failing to grasp the significance of this, the Judge replied “thank you” and moved on! Even if our barrister had raised the matter in cross-examination, it would have been ruled irrelevant, as was his attempt to question the unusual manner in which the Company disbursed the \$750,000 ex gratia payment by the Government for relinquishing their Wiangarie quota.

When Peter Prineas was prevented from putting NPA’s case for a Nightcap National Park on the grounds that it was irrelevant, he too withdrew, much to the Judge’s annoyance. His extreme sensitivity was due to the fact that the Inquiry had been ridiculed in the media on a number of occasions. Harry Recher said “Here we have a judicial inquiry sitting in judgement on ecological data. It would have been over in two weeks if a panel of ecologists had been appointed”.

Like the ABC, I too was threatened with legal action. It happened when I upset the Judge by describing his Inquiry as legalistic and was ordered to demonstrate how conservationists were disadvantaged. To do so I prepared notes comparing his protracted adversarial Inquiry with the brief, informal (lawyers barred) round table

discussions used by the SPCC. Correctly perceiving that I was about to be critical, he asked to read privately what I was about to say, at the same time warning me that I could leave myself open for an action for defamation as the proceedings were not privileged. When I refused this proposed censorship, he withdrew the question! Displeased with a report in the *Herald* of one of his statements, the Judge sought an explanation from Joseph Glascott, but he escaped criticism by blaming the Editor for reducing the length of his report.

After a year, conservationists were completely disillusioned with the conduct of the Inquiry as it was quite apparent from the Judge's demeanour and comments that he would recommend logging. The selective bias of the Forestry Commission was clearly shown by their omission in their lengthy submission of any reference to Dr Len Webb's 20 published papers on rainforest. Although CSIRO's leading rainforest ecologist, his expert evidence was challenged and he himself denigrated when he appeared at his own expense.

The proceedings generated several humorous incidents. When the Judge said he was intrigued by the many references to lawyer vines, Dr Webb explained: "I think, sir, it's because they have hooks and when they get hold of you it's hard to become disentangled!" Another was when the Judge asked an ecologist witness if taxonomy was something to do with the Tax Office!

In his final address, Geoff Graham, our barrister, was bitterly critical, telling the Judge that his Inquiry was deeply flawed and that he had "shown a considerable degree of antagonism and hostility to those opposed to logging". The Judge angrily interrupted,

saying “if you are making these allegations for the purpose of speaking to the press, then I will hear you no further”. Next day the *Herald* carried a detailed account of the heated exchange, greatly assisting our strategy of discrediting the Inquiry. However, the Judge had the last word; in his report Geoff Graham was severely criticised. By comparison Elizabeth Elenius, Peter Prineas, Milo Dunphy and I received only minor criticism for having the temerity to question his conduct of the Inquiry.

As much of the material in its submission had been ruled irrelevant, NCC made another short supplementary one which was basic to the terms of reference, pointing out that Standard Sawmilling was now obtaining its supplies from other parts of the Mullumbimby Working Circle which had a further life of 26 years. The sub-district forester, when questioned at the Inquiry, had agreed with me that he would continue to move around the circle so that there would be no disruption due to the loss of supplies from Terania. Clearly no jobs would be lost, but the Judge stubbornly refused to concede this vital point, instead dwelling in his report on the likelihood of increased unemployment. While waiting for the Judge to complete his report, Peter Prineas and Elizabeth Elenius prepared a 15 page analysis of the ecological issues, entitled *Why Log Terania Creek?*, which was published by NPA and inserted as a supplement in their *Journal*.

Judge Isaacs' 375 page report listed 18 recommendations, the first of which was that the logging of Terania Creek should resume because “not logging would result in severe hardship in the timber industry which has suffered substantially due to . . . reductions in quotas and further reductions might have disastrous results”. When Lin Gordon received his copy of the report in September 1981, he prepared a minute to Cabinet

seeking approval for the resumption of logging. However, the Premier asked that it be expanded to include a review of rainforest logging generally, and at the next week's meeting proposed that a Cabinet committee consisting of himself, Lin Gordon, Don Day, Eric Bedford and Eric Booth be set up to examine this very worrying problem. It was now of great concern because in the two years which had elapsed since the Terania issue arose, emboldened by the success of direct action in the forests, three other major rainforest disputes had erupted on the North Coast – Washpool, Hastings and Nightcap. While 80% of the urban population were sympathetic to the idea of protecting rainforest, to do so would result in the closure of mills and the loss of jobs in electorates held by Labor party politicians.

Chapter 9 – Aftermath

Following the shock of Terania, Cabinet requested the Ministers of the two contending bureaucracies to prepare position papers which would provide an objective analysis and evaluation of the options open to the Government. The Forestry Commission's *Background Paper on Rainforest Logging* prepared in October 1979 was both disappointing and disturbing because there was no recognition of a change in community attitudes and scant mention of non-wood values. The paper argued for a continuation of the practice enunciated in their 1976 Indigenous Forest Policy which was a phasing out of rainforest logging subject to existing commitments. This was misleading because they well knew that practically all rainforest under their control was committed to the mills. However, they were not prepared to accept all the blame for the difficult situation which they now faced, because:

the Commission has been caught in the bind of having to meet commitments entered into many decades ago . . . under direction from the Government of the day which subsequent Governments have been loath to terminate or reduce because of their important role in providing employment and decentralised economic activity.

The response of NPWS, given in *Background Paper on Rainforest Policies*, was for a withdrawal from logging in order to recognise the particular values of rainforest as a natural biological system and to protect it from further damage. The Forestry Commission's phasing out policy was rejected with the perceptive comment that "the likelihood of this being achieved prior to the exhaustion of supplies is questionable in view of the acknowledged commitment to industry".

The Premier denigrated the Terania Inquiry Report, telling the media that Simon Isaacs had not examined the whole rainforest issue, to which the Judge replied "I asked to do

so but you did not agree". The three volume, very expensive report on the fate of 1,280 brush box and blackbutt trees was filed and forgotten. Peter Prineas was quoted in the *Herald* as saying that it was no longer relevant and should be consigned to the scrap heap, while Keith Jordan of ACS said it showed that the industry was acting in the long term interests of the whole community.

More than a year after the Terania Creek confrontation, the Institute of Foresters of Australia, speaking with the authority of its 1,200 members, issued their policy statement on rainforest logging as guidance to the NSW Government:

- Logging should continue but on a sustained yield basis.
- Management should aim at the retention of structure.
- Financial assistance to those affected by the reduction of volume to be provided by Government.
- Forestry Commission and NPWS should continue discussions on the reservation of further areas of undisturbed rainforest, but only if the latter stopped maintaining that all rainforest logging should cease!

The Institute's policy conveniently ignored the fact that the remaining virgin areas were already committed. Recommending logging on a sustained yield basis, after conceding in the same statement that the shortest period to full recovery was 200 years, was ludicrous but understandable, as most of the members were employed by Governments and feared job loss. The only positive aspect of their policy statement was the suggestion that the softwood timber shortage on the North Coast, following reduction of rainforest logging, could be overcome in part by transporting plantation *pinus radiata* logs from Bathurst.

In a letter to the *Herald* in August 1980, Jack Henry claimed that “the rainforest has not been destroyed – the cycle of life, death and decay has merely been accelerated in certain selected areas”. Elizabeth Elenius responded, quoting from their own 1961 research, that “the 50% canopy reduction concept has not been wholly successful in Canghi State Forest”. She also quoted George Baur who had stated that “it is therefore essential that ample areas be preserved inviolate . . . as living museums for the future”. Baur immediately replied that this was unfair as he had never believed that all rainforest should be preserved. He deplored the present campaign of “vilification” being waged against the Commission. Elizabeth Elenius replied, praising him for supporting the call to reduce the cut of rainforest timbers!

At a series of public lectures on forestry matters given at the Australian National University in Canberra in August 1979, members of the Department of Forestry engaged in some introspection. R.G. Florence noted that:

the Border Ranges dispute is a classic example of the way Government, no matter how well motivated it may be in the cause of environmental quality, is unable to reverse established patterns of resource use which would produce a powerful political reaction at a local level.

Les Carron remarked that:

the Forest Service had their sense of dedicated professional mission profoundly disturbed when the blasts of the environmental explosion were directed towards them. The resulting siege mentality is freely acknowledged by foresters . . . who need to update their social philosophy.

A major issue throughout the campaign was the question of recovery after logging. While conservationists used the emotive terms “destroy” and “destruction”, the other side used “renewal” and “regrowth”. At the Geographical Society’s conference, Ross

Horne, Forestry Commission silviculturist, presented a paper in which he claimed that rainforest canopies grew back “more than adequately”, but provided only limited factual data based on trial plots. Seizing on what he termed “this conclusive proof”, Leon Punch, leader of the Country Party, publicly criticised conservationists. Peter Prineas and Roger Lembit responded in letters to the *Herald* pointing out that Ross Horne had admitted that full recovery of a heavily logged rainforest would take 200 years and that a section of Terania Creek logged 37 years ago was still mostly lantana. Professor Frank Talbot, who headed the Centre for Environmental Studies at Macquarie University, in a letter to the *Herald* described the remaining rainforest as “small relics, rich in unique species, which cannot be logged without serious impact”. (Appreciating his support, I voluntarily edited *Viewpoint*, the magazine of the faculty, for some years.)

Seeking to increase the difficulties faced by the Forestry Commission while it was embroiled with Terania, Dick Thompson, a Macquarie University academic and secretary of Ecology Action, staged an elaborate media hoax. Two years earlier he had been appointed by the Minister for Forests to the Government Advisory Committee on South Coast Woodchipping, an ineffectual body which had met only once. Joseph Glascott did not know Dick, so was easily persuaded by this impressive character that his decision to resign was newsworthy, whereas it was not! Consequently on 10 September, on page two of the *Herald* was a large photo of a smiling Dick and an article headed in bold letters *Conservationist quits as adviser to Government – Protest against Forestry Commission Policies*. Claiming a scandalous state of affairs in forest management, Dick cheekily called for a public inquiry. An astonished Jack Henry was quoted as saying that “the Commission is responsible to the Minister”, and next day there was more adverse publicity as Lin Gordon denied the claim of mismanagement.

Several weeks later, Margaret, Jack Henry's wife, had a letter published in the *Herald* which began: "My husband belongs to a profession – forestry – which has undergone systematic and sustained denigration" and concluded "silence is the only recourse for a forestry family".

Any sympathy for the Forestry Commission's dilemma must be tempered with regard to the manner in which it carried out its regulatory function and its negative response to public criticism of its policies. In its *Statement on the Proposed Logging of Terania Creek*, the Commission gave a surprisingly frank historical account of the reasons for its inability to achieve sustained yield:

- 1917 – 35 "When thwarted (the sawmillers) did not find it difficult to enlist political aid. The forest estate invariably suffered as a result of these attentions."
- 1935 – 47 "Attempts by the Commission to cut yields so that growths and removals were in balance were usually successfully resisted."
- 1947 – 53 "Powerful segments of the industry were still able to exact concessions which meant that they could still cut wood in some areas faster than it was growing."
- 1953 – 60 "It was increasingly difficult for political reasons to reduce quotas despite many being in excess of forest growth."
- 1960 – 79 "Yield regulation, aided by computerisation, became strictly controlled and political pressure to make more wood available declined."

These excerpts provide a sad commentary on how a statutory body staffed by professional foresters charged with the long-term protection of the forest estate had, during the whole of its existence, been frustrated in its management of the forest by the

exploiters of the resource intent on short term profits. Sawmillers, by threatening mill closure, had been able to exact concessions from Ministers of both political parties even though these concessions may have been directly opposed to good forestry practice. Were the files of the Commission open to public inspection, it is reasonable to assume that many cases of political interference could be established.

Following the Terania Creek debacle, the Government established a Committee to advise the Minister for Forests in order to avoid further damaging confrontations. It consisted of:

- Graham Lugton – Chairman Forestry Commission.
- Jack Giles – National Parks and Wildlife Service.
- Bill Hurditch – Associated Country Sawmillers.
- Tom Penn – Local Government Association.
- Jim Somerville – Nature Conservation Council.

The first meeting was held in August 1980 and the 10th and last meeting in April 1982. I used the Committee to put forward alternative logging strategies to save Gradys Creek, and to obtain forestry data. When NCC and ACS jointly placed before Premier Wran a proposal for a resumption of eucalypt plantations, it was referred to the Committee, which recommended an initial planting of 1,500 ha.

It was at the meeting on 18 February 1982 that Graham Lugton advised members that “as a temporary measure, Munro and Lever would obtain their supplies from areas other than Gradys Creek”. I was overjoyed as this reversal was an admission that there was a viable alternative – something I had been campaigning for since 1978. I immediately

wrote to the Commission congratulating them on the decision, but received a curt reply pointing out that as the logging of Gradys Creek was a Cabinet decision, this was only a temporary reprieve! Eight months later, however, Cabinet also yielded to pressure and made the decision permanent. Soon after, as the result of Wal Gentle seeing me on the Executive floor, the Committee was disbanded. He disliked me!

Chapter 10 – Escalation of the Campaign

Continued media publicity was seen as essential to maintain the pressure on politicians and at the same time increase public awareness of the issue. When David Attenborough, well known television personality, visited Australia to publicise his excellent *Life on Earth* television documentaries, he needed no persuasion to plead for the protection of rainforest in Australia. ACS responded with expensive commercials featuring Hans Thorstrup, an adventurer who had no association with rainforest.

All three Earth Week media awards for 1981 featured rainforest: Joseph Glascott (Press), ABC Nationwide (Television) and 2SER FM (Radio). A Public Meeting and Concert, organised by the National Trust, ACF and TEC, was held at the Sydney Institute of Technology on 28 October 1981. Kerry Pidcock of Big River Timbers in Grafton came down to plead his case but received no support from the city dwellers.

The Geographical Society organised a seminar in Sydney in May 1981 at which 80 people paid \$30 each to listen to a spirited debate involving John Turner, Ross Horne and George Baur from the Forestry Commission and Len Webb, Neville Schaefer and Fred Bell, conservationists. A light-hearted spoof which took place in the Sydney Botanic Gardens on a Sunday afternoon in October 1981 achieved considerable publicity. Penny Figgis led the members of SPROUT (Sensible and Practical Residents Organising for the Utilisation of Trees) in an attempt to justify by the use of an EIS and a Management Plan, “the harvesting of these trees locked up in this useless botanic reserve!”

It was quite obvious to the pragmatists in the conservation movement that a Labor Government would not for a moment consider putting several hundred people out of work in a marginal electorate in order to create a National Park. The rather simplistic response of most conservationists was that alternative employment would be available in the creation of pine plantations and development of tourist facilities such as Binna Burra and O'Reillys on the Queensland side of the border.

The extent of the problem facing conservationists, the timber industry and politicians is shown by this table compiled by the Forestry Commission in 1979 following the withdrawal of Standards from Wiangarie:

	<u>Jobs</u>		<u>Cessation</u>	<u>Quotas</u>		<u>Sawing S.</u>
	<u>Total</u>	<u>Rainf.</u>	<u>date</u>	<u>in cu.m.</u>	<u>Peeling P.</u>	
Munro & Lever, Kyogle	170	95	1996	29,050	8,500	S.P.
Standard Sawmilling, M'bah	95	47	1986	11,270	3,000	S.
Robb & Brown, Urbenville	35	11	1993	11,000	3,500	S.
Bruce Roper, Armidale	30	30	1982	4,040	4,040	S.
Big River Timbers, Grafton	90	90	1992	6,260	6,260	S.P.
Cemac Oxley, Wauchope	151	151	1986	11,080	11,080	S.P.
Hancock Bros, Wauchope	31	31	1986	11,740	11,740	P.
Veneer & Timber, Wauchope	32	32	1986	4,700	4,700	S.P.
TOTAL	634	487		89,140	52,820	

In the campaign for a Border Ranges National Park the situation was complicated due to:

- Three forest sub-districts – Murwillumbah, Kyogle, Urbenville.
- Three operators – Standards, Munro and Lever, Robb and Brown.

- Two types of timber – Rainforest and Hardwoods.
- Two types of operation – Sawmilling and Peeling.

Bruce Mackenzie, President of the Australian Institute of Landscape Architects, arranged for the Joint Professions Standing Committee to present the Premier with a beautifully illustrated report simply entitled *Rainforest*. The resultant publicity brought additional pressure on him to end the delay in making a decision.

Just prior to a hard-hitting deputation to the Premier led by NPA's President Dr Dick Mason in 1981, a quarter page advertisement was placed on page two of the *Herald*, naming 27 world scientists who supported an end to the logging of rainforest. Below their names were two clip coupons, the first an application to join NPA and the second for dispatch to the Hon Neville Wran asking him to "act now to save the NSW rainforests and set an example for the world".

The ACF sought donations through their *Habitat* magazine for a Rainforest Fund which was used to good effect by the employment of Christine Rosten for 10 weeks to lobby members of the Parliamentary Labor Party and leading unionists. The various conservation groups used their newsletters and magazines to keep their members informed about the campaign and to seek donations. Both ACF and NPA used their illustrated publications to feature articles on the progress of the campaign and to urge their members to write to parliamentarians. This was believed to be the best way for our supporters to become involved, but the effectiveness of the tactic was debatable. It was said that one hand-written letter represented the views of 10 concerned citizens, but on the other hand we knew that they were never read by the addressee, the staff

responding with a form letter. Nevertheless, having taken the only protest action available to them, the writers became involved and often even more passionate.

As it was clear that politicians would make the final decision, every opportunity was taken to lobby members of Cabinet, Caucus and the Environment Committee personally. When visiting ministerial advisers or departmental bureaucrats, it was common to refer to the Minister by his first name, implying a level of familiarity which may not have existed. Another small subterfuge occasionally used by some conservationists, taking advantage of the fact that the Minister had a limited memory span, was to bypass bureaucrats by commencing personal letters with the phrase: “When we last met, I promised to send you . . .”

A resolution was passed at the International Botanical Congress of 3,100 botanists from 60 countries, held in Sydney in August 1981, stressing the benefits to man of rainforests as a valuable reservoir of useful plants, and their place as a living part of the world’s heritage. The Governments of the world were urged to make rainforest conservation a national priority. David Bellamy achieved much publicity.

The Linnean Society of NSW, representing the State’s botanists, finally broke its silence in 1982, calling on the Governments of NSW and the citizens of Australia to conserve rainforests. After expressing agreement with the resolution of the International Botanical Congress, it resolved to oppose “those activities and land use practices which endanger the continued existence of any vegetation style within the full range of Australian rainforests”. As many of the members were employed by Governments, this was a brave statement for this very conservative organisation.

In September 1979, six conservation groups combined in the production of a widely circulated document containing the views of nine eminent people on rainforest destruction. Dr Len Webb of CSIRO was one of these and his statement read:

The arguments adduced by the NSW Forestry Commission in favour of continued logging are based on outdated ecological generalisations which diminish their scientific importance . . . The Border Ranges are of unsurpassed scientific interest and represent a precious and irreplaceable part of the national forest estate and Australian heritage.

R.G. Florence, lecturer at ANU's Department of Forestry in Canberra, consistently supported our cause, speaking at public meetings and writing papers advocating better environmental planning in forestry matters.

The long-running fight against the Forestry Commission took a dramatic turn in our favour when a disgruntled staff member sent Milo Dunphy the transcript of a confidential speech given by Commissioner Wal Gentle to a "Senior Officers Conference" shortly after he was appointed in May 1981. Startling admissions were made, such as that Standard Erosion Mitigation Conditions were being breached, and seriously, almost all the time in the Casino Region, which was no worse or better than anywhere else. One quotation is:

Our barrister told us that we certainly could never put in evidence the fact that what was happening in the bush was in fact what we said was happening when we wrote these erosion conditions into our management plans. In other words, the field performance was too sloppy. So a very, very big improvement has to be made by everyone because these are the grounds we can be pulled into the Land and Environment Court for breaching the law, which we are doing.

Further damaging admissions were made in regard to the practice of overcutting, failure to produce Management Plans and continuing operating losses; all criticisms conservationists had been making for the past five years. These frank revelations, coming from the top, were received with glee and given maximum publicity. Wal Gentle's response was that it was merely a pep talk, so not necessarily accurate!

Following my visit to the Swiss office of the International Union for the Conservation of Nature (IUCN) in 1977, the Colong Committee wrote to them appealing for their support. An Australian working there was sympathetic and as a result, this United Nations agency commissioned Dr Len Webb and J.G. Tracey, both members of CSIRO's Rainforest Ecology Unit, to prepare a study which concluded:

We believe that there can be no question that the Border Ranges represents a precious and irreplaceable part of the National Forest estate and of the Australian heritage and of what is now being acknowledged as a significant part of the world heritage of biological resources. We therefore consider that the further logging of this area can no longer be justified.

The Forestry Commission claims were denigrated as "special pleading relying on a convenient selection of their own literature". Unfortunately this excellent report from such a prestigious body arrived too late for the SPCC Inquiry on the Border Ranges, but the Colong Committee gave it wide publicity.

By far the most impressive achievement of the Rainforest Information Centre opened by TEC in September 1980 and staffed by Roger Lembit on a voluntary basis was the organisation of the Rainforest Write-in at the Drummoyne State by-election on 16 April 1982. Haydn Washington, Ian de Vulder, Rod Hayes and Micky Rister led a team of 35 activists who placed a leaflet in every letterbox in the electorate which asked voters to write *Save Rainforest* on the top of their ballot paper. I was one of the 80 volunteers

who manned 15 of the 17 polling booths, telling voters that the tactic was based on the very successful Tasmanian *No Dams* campaign and that it was quite legal. When Premier Wran arrived, I asked him how effective this publicity was likely to be and he replied that it would be successful provided we obtained 10% of the vote. Television crews wanted drama, not statistics, so Bren Claridge, disguised as a tree trunk, kept following an embarrassed Lin Gordon, thus securing good coverage of the Write-in on Channels 2, 7 and 10 in the evening news. Scrutineering rights, obtained from Independent candidate Nick Jones, enabled 40 of our supporters to count the responses. Polling results were excellent: in Abbotsford 33%, Drummoyne 31%, Five Dock 28% and Haberfield 19% of the votes cast being endorsed as requested. Although Liberal voters were about five percentage points above Labor voters, Opposition Leader Nick Greiner publicly denigrated our achievement, failing to grasp the change in public attitude to forest destruction. The official response from an annoyed Electoral Officer was that the law would be changed to prevent similar stunts.

Although the National Trust had advocated rainforest preservation from 1976, its support was greatly expanded when Brian Guilfoyle was appointed two years later. In a very successful effort to raise public awareness, \$15,000 was spent on a media campaign and the distribution of 50,000 copies of a superb poster. The Trust also placed on their Register of the National Estate the controversial Border Ranges, Washpool and Hastings rainforest areas. The moral and financial support from such a prestigious organisation delighted us and no doubt annoyed the timber lobby. The National Trust and TEC combined to prepare and distribute a hard-hitting pamphlet in October 1981 with the bitter title of *Destroy Rainforest and Jobs*, which greatly upset our opponents. ACS made two official complaints to the Trust (but none to TEC),

while their Far North Coast branch replied with a display advertisement in the *Herald* showing a logger using a chainsaw with the caption *He's not even harming the forest, let alone destroying it!* The accompanying text deplored the fact that the Trust had:

taken up with the preservationists' extreme stand in declaring that any type of logging will destroy a forest . . . their supporters have been led into the extreme lobby by emotion and it appears that the personnel concerned have not done their homework.

The denigration continued with comments such as "irresponsible and misguided", and "inexpert and untrue", which were hardly likely to influence the rather conservative members of the Trust. Altogether it was an expensive, counter-productive exercise.

Because the Wran Labor Government was facing its third election in April 1981, party officials and ministerial advisers strongly urged us to refrain from further criticism, telling leading members: "remain quiet and you will get what you want after the election". In the event it was Lin Gordon, one of their own Ministers, who upset the carefully planned Labor Party strategy by publicly releasing an expensive eight page glossy pamphlet entitled *Plenty of Rainforest* a few weeks before the election.

According to the *Herald's* political correspondent: "Mr Wran wrote to Mr Gordon after receiving a strongly worded letter from the Deputy Premier, Mr Ferguson, who was reported to be furious". The extravagant and misleading claims in the pamphlet were disputed by both NPWS and the Department of Environment and Planning, yet Forestry was distributing it as if it were Government policy. Although the Deputy Premier made no public statements on the rainforest issue, he and his able assistant Dick Persson played an important role behind the scenes. When I tried to lobby Jack Ferguson at a National Trust social function I was put in my place by his curt comment: "You seem to know more about what is going on in Cabinet than I do!"

A public opinion poll commissioned by the ACF and the National Trust and undertaken by McNair Anderson revealed that 69% were in favour of rainforest preservation. The poll of 756 residents of NSW showed that women were more sympathetic than men, the young were significantly more supportive than the old, that city residents were more sympathetic than those in the country, and that supporters of both political parties were of the same mind. Richard Rowe, President of the National Trust, pointedly told the Premier that the poll gave his Cabinet Committee firm direction and that of all the conservation issues, only the preservation of the Great Barrier Reef had such widespread community support. Murray Wilcox, President of the ACF, said that “the preservation of our rainforests is the most important conservation issue in NSW”.

The timber lobby took great exception to the wording of the poll question, which was “Do you favour or oppose the protection from logging and clearing of the remaining rainforests in NSW?”, on the grounds that there was no clearing. In retaliation, Associated Country Sawmillers surveyed 350 people in February 1982, asking if the Government should accept or reject the implementation of the Terania Creek Report. This, too, was a loaded question, so it was not surprising that 64% said that the recommendations should be accepted. Fortunately the Premier decided otherwise.

The National Trust, in conjunction with TEC and Fund for Animals, inserted a large advertisement in the *Herald* on 24 March 1982 headed *Rainforest – you’re their last hope!*, which was addressed to Premier Wran and endorsed by 28 actors, writers and others, including Patrick White, Bryan Brown, Jack Thompson, Robyn Archer and Charles Birch. The public were urged to write to the Premier and send a donation to the National Trust to further the campaign. The text highlighted the survey of December

1981 which showed that 69% of NSW citizens wanted an end to rainforest logging, boldly stating that it was a scandal.

By now the fate of the rainforest had become very newsworthy, thus further increasing public interest. During 1981 alone, 90 articles and letters appeared in the Sydney press and probably treble that number on the North Coast. The most contentious issue was the extent of recovery after logging, with conservationists deploring the destruction and the timber lobby insisting that it would recover. In the ABC television documentary *Rainforest in Australia*, produced by Patrick O'Neill and shown during the Terania Inquiry, forestry experts endeavoured to convince viewers that recovery was certain, but the truth was that no one really knew because the policy changes made to produce sustainability in sub-tropical rainforest had only been in existence for 16 years.

In December 1980 Dr Webb conceived the brilliant idea of contacting prominent botanists and ecologists throughout the world and asking them to write to the Premier of NSW explaining the significance of the State's rainforest and the consequences of logging. Over 50 did so, and excerpts from their letters were published in a pamphlet entitled *World Scientists write to Premier Wran about Rainforests*. The first edition was distributed widely and a second edition, some years later, included as a foreword written by Wran himself and used by John Seed in his continuing campaign to stop rainforest logging worldwide. John opened an office of the Rainforest Information Centre in Lismore which published regular reports on forestry matters. Government overseas aid grants and donations enabled volunteer staff to work in Papua New Guinea, Indonesia and Ecuador. I was a member of the Centre, and their auditor, for 20 years.

During March 1982 considerable publicity was achieved as a result of TEC employing Bren Claridge to organise a protest march from Town Hall to Macquarie Street for North Coast and Sydney conservationists. The police were very co-operative, giving us the right-of-way down George Street. When the 150 protesters carrying bunches of green balloons and large banners arrived at Parliament House, the 10 LEAF (Ladies Environmental Awareness of Forests) ladies from Grafton protesting outside were overwhelmed. Following several speeches imploring Government action, Deputy Premier Jack Ferguson came out to accept letters from Peter Prineas, Jeff Angel and Bren Claridge. The march attracted good media coverage and was followed by a lunchtime concert in Martin Place at which pamphlets were distributed.

In the same month, the ABC gave the issue excellent coverage:

- *City Extra* organised a spirited debate between Jeff Angel and Ian French (of Allen Taylor).
- *The Science Show* brought 40 people from all over Australia to discuss the topic *Environment v Employment*. Some of the more outspoken invitees (Day, Pidcock, Dunphy, Prineas et al) turned the debate into a slanging match on the rainforest issue, making it excellent theatre.

An alliance of conservation groups led by the ACF publicly questioned the management of the State forests in August 1980. Murray Wilcox QC called on the Government to hold a public inquiry and to direct the Forestry Commission to observe the requirement to prepare an EIS before deciding to undertake significant developments such as logging rainforest in the Hastings valley. When Jack Henry refuted both complaints in

a letter to the *Financial Review*, Dick Thompson (using a pseudonym) returned to the attack, claiming that the remaining rainforest was committed to the mills.

Unfortunately for Jack, the letter was headed in bold letters: *Forestry has much to explain!*

Although forestry was a State matter, Senator Colin Mason, Deputy Leader of the Democrats, tried to make it a Federal matter by introducing a Bill in the Senate to establish an Australian Rainforest Fund which was designed to assist the States, on a dollar for dollar reimbursement basis, to purchase logging licences, re-equip veneer mills to handle eucalypt or pine, and undertake reforestation of cleared land. The Colong Committee sent a copy of the Bill to all Federal politicians on 10 August 1981, urging them to support the proposal because “rainforests are an irreplaceable element of our national heritage”. Sympathetic replies were received from 50 members. At a meeting with Premier Neville Wran, NPA secured his support for the Bill as a solution to the controversy, and in a *Herald* report of the meeting, Peter Prineas said that he was extremely heartened by the Premier’s receptive approach. Although logical and sensible, Senator Mason’s initiative came to nothing – the Bill was not even debated!

Although conservationists posed no threat to society of politically motivated violence, we were nevertheless subject to intimidation. The Forestry Commission regularly employed a professional photographer who took pictures of people taking part in demonstrations, no doubt to try to prove their absurd theory that these people were paid to participate in such demonstrations. The involvement of Special Branch of the NSW Police was more insidious, as they prepared “dirt files” on movement leaders and infiltrated conservation organisations. A middle-aged man, who claimed to be a

barrister, joined TEC under an assumed name, suggested several useless legal strategies, stole Milo's book of telephone numbers and disappeared. As Milo was addicted to conspiracy theories, he became quite paranoid as a result of this harassment. I confronted this ridiculous character, dressed in short pants, sneaking into the unattended office of the Wilderness Society, and sent him on his way. Years later, Special Branch was discredited by the Police Integrity Commission, which revealed the existence of "58,000 index cards and 1,079 files containing much unnecessary information". In a leader on 18 June 1998, the *Herald* complained that:

what Special Branch deemed to be an activity which imperilled the community and its leaders was nothing more than robust political agitation on matters such as the Vietnam war, anti-logging protests, trade union marches and demonstrations against any number of Federal and State Government decisions.

An informal attempt to reduce the heat and polarisation of the debate was made in 1981 by Don McIntosh, Director of the woodchip company Harris Daishowa. He invited Len Willan, Phil Colman, Roy Free of the Forestry Commission, Ian French and me to meet in his office in Circular Quay. He later described the meetings as "lively, serious and good-natured". Agreement was reached on the need to phase out rainforest logging rapidly and to encourage the planting of hardwoods. I drafted a joint letter to the Premier which was signed by NCC and ACS, outlining the urgent need of the Forestry Commission to re-commence planting hardwoods, which, in due course, it did.

By establishing the Inquiry into the logging of Terania Creek in September 1979, the Premier hoped to defer making a decision on the rainforest issue for some time – he was overheard telling Judge Simon Isaacs not to hurry! However, in early 1980 a very noisy rainforest dispute erupted in Washpool near Grafton and, a year later, another in the

Hastings area. These campaigns will now be covered in detail, as they helped force the Government to act.

Chapter 11 – Washpool

During the SPCC Border Ranges Inquiry, officers of the Forestry Commission said that we were mistaken in claiming that the Border Ranges contained the largest area of unlogged rainforest in NSW because Washpool, west of Grafton, was much larger. As we knew nothing about Washpool, Haydn Washington and Rodney Falconer, members of the Colong and Colo Committees, made a visit in 1979 and Peter Prineas then led a small party from NPA which reported favourably on its rainforest value and its suitability as a wilderness National Park.

In fact, Peter Helman and his study team at the University of New England had listed Washpool as one of the 26 areas satisfying their definition of wilderness in their *Wilderness in Australia* (1976). The report, which was funded by a National Estate grant applied for by the Colong Committee, identified a core area of 26,000 ha under the control of the Forestry Commission which lay north of the Gwydir Highway running between Grafton and Glen Innes.

Washpool differed from the Border Ranges in that it was mostly warm temperate rainforest rather than sub-tropical. The Willowie Scrub, containing the largest stand of coachwood in Australia and therefore the world, was the only discrete area of rainforest; elsewhere wet sclerophyll intermingled with the rainforest to form a mosaic. Extraction of the hardwood would result in as much disturbance of the rainforest as would the logging of the rainforest itself. The anger of the timber lobby at the possible loss of this huge hardwood resource was understandable, but its harvesting would have meant the end of the rainforest – a vital aspect on which our opponents were silent.

The Forestry Commission's *Indigenous Forest Policy* was based on the need to overcome the expected hardwood timber shortfall, due to earlier overcutting, until the coastal forests were ready for a second cutting cycle. Thus the policy which applied to Washpool was that "the more mountainous and less accessible forests behind the coastal plain should be logged for sawlogs to the limit of economic accessibility".

There was considerable frustration in the conservation camp during 1980 and 1981 due to the lack of Government action following two Inquiries:

- The terms of reference of the Border Ranges Inquiry were so circumscribed by the need to protect employment that the result was an unacceptable compromise.
- The terms of reference of the Terania Creek Inquiry were so restricted that the Judge rejected as irrelevant vital matters such as alternate land use and reforestation.

Washpool was now in dispute, but before the long awaited EIS was made public, Minister Don Day informed a meeting of the Grafton Chamber of Commerce on 9 March 1980 that "when the EIS on Washpool is completed the forest will be logged". NCC immediately protested to the Premier that clearly a decision had already been made and therefore it "saw little point in participating in a third time-consuming and frustrating inquiry into rainforest logging in as many years".

Although the need for transparency in Government was not recognised then as it is now, nevertheless it became obvious that in these circumstances the Forestry Commission could not be the determining authority for its own EIS. Ironically, therefore, it was Don

Day's revelation of the Commission's intention to ignore the much acclaimed EIS process, which, in turn, made it possible to win Washpool. Don Day told the *Herald*:

The closest conservationists ever come to rainforest is in front of television. I've been in the rainforest and I know the industry. I think it would be criminal for a Labor Government to put people out of work when there can be no justification.

The Colong Committee prepared a detailed submission on the EIS in which it pointed out that the logging of Washpool was recommended on economic and social grounds without regard for the effect on the environment. The Committee called for its rejection because in preparing the EIS the Forestry Commission had failed to comply with Regulation 56.(2).(H) of the Environmental Protection and Assessment Act which stated that any feasible alternatives must be considered.

One alternative which had not been considered was the Bathurst plantation pine, despite the fact that 350,000 cu.m. would be available from 1988 and a million cu.m. from 2000, 10 times the annual Washpool hardwood quotas of 32,000 cu.m. Another alternative source, and the one ultimately used, was the unallocated rainforest in the Casino West Management Area, available because the Commission did not favour transfer of timber across management boundaries.

The EIS classified the Washpool forests on commercial rather than ecological principles. Although it was obvious that as a result of the extraction of 60% of the upper canopy in the 4,724 ha of moist hardwood, considerable damage would occur to the rainforest in the lower canopy, the EIS made the facile comment that "no doubt the understorey would be partially damaged by logging" and, more honestly, "regeneration . . . can generally be expected to be low".

There were five mills dependent on Washpool for long-term operations:

	Jobs	Quota (cu.m.)
1 Rainforest Mill (Big River Timbers)	70	6,260
3 Hardwood Mills in Grafton Mgt. Area	79	32,160
1 Hardwood Mill in Casino West Mgt. Area	31	6,460

The Colong Submission urged that Washpool remain in its natural wilderness state because it contained:

- The only remaining rainforest wilderness in NSW.
- The largest coachwood forest in the world.
- A highly complex mosaic of forest types.

Estimates of the number of jobs which would be lost if Washpool became a National Park varied widely. In a report commissioned by ACS, Dr James Kable of the Queensland Institute of Technology predicted 500 direct jobs and 2,000 in the district. NPA commissioned a report from Energy Planning Impact consultants which estimated that the loss would be 40 to 115 in the timber industry and 60-175 in the region. The Forestry Commission claimed in the EIS that 250 direct jobs would be lost. The Premier, facing a hostile demonstration in Grafton, again declared that no jobs would be lost.

In order to achieve sustained yield, the Forestry Commission imposed a 50% quota cut on the local mills. Kerry Pidcock, Manager of Big River Timbers, publicly threatened immediate closure of his mill, which employed 70 people, unless he was given

permission to log the Viper scrub, a rainforest area vital to the integrity of the wilderness. Intending to yield to the threat, the Minister prepared a submission to Cabinet, but prior to the meeting TEC and Colong organised a media conference which yielded gained excellent coverage on Channels 2 and 7. In addition, the Premier received telegrams from Labor Party branches prior to the Cabinet meeting on 4 June, at which the Forestry Commission was directed to obtain supplies from other areas. The Premier again assured the media that no jobs would be lost, but the issue was particularly difficult as Grafton was in Don Day's electorate and jobs were certainly at risk.

The owner of Duncan's mill, the largest in Grafton, then went on the offensive, calling for conservationists to be treated with contempt for wanting to lock up the bush and destroy jobs. He claimed that the only endangered species in the district was the timber workers! Patsy, Duncan's wife, organised a protest group known as LEAF (Ladies Environmental Awareness of Forests) and the mill employees joined TWIG (Timber Workers in Grafton). These groups carried out very effective demonstrations in front of Parliament House and were on hand when Cabinet met in Grafton on 23 April 1980.

Kerry Pidcock was one of our toughest opponents. The mill he owned manufactured marine ply from its annual quota of 6,260 cu.m. of coachwood from Washpool. According to the Australian Standard 2272, marine ply could only be made from rainforest timbers, of which coachwood was the most important. However, research indicated that alternative timbers could be peeled. Two veneer mills in the Coffs Harbour district were successfully peeling flooded gum and other eucalypt species. I appealed to the plywood industry body to support a change in the Australian Standard in

order to save the Washpool coachwood, but they replied that they would only be prepared to do so when the coachwood supply was exhausted! It was not until a year later that forestry consultant Neil Byron of Forest Technical Services Pty Ltd made public the restrictive specification in the Australian Standard. He reported to the Department of Environment and Planning: “if other veneer mills can change to hardwoods, then it seems likely that Big River Timbers can do likewise”. Aware that coachwood was used by the Department of Defence, NCC sought and received their support for the deletion of coachwood from Australian Standard 2272 for marine plywood used by them.

A decade before the rainforest campaign I had been involved in the move by the Colong Committee to prevent the Forestry Commission using Federal funds to plant pinus radiata on the Boyd Plateau in the Blue Mountains. After a long and acrimonious fight we succeeded in having the area gazetted as part of Kanangra Boyd National Park. The information gained in that campaign enabled me to calculate the huge volume of softwoods in the plantations in the Bathurst area which would become available in the late 1980's. As it seemed logical to me that some of this surplus timber could be used to ease the acute shortage of softwood forecast on the North Coast, I wrote a number of articles and lobbied everyone who would listen, advocating that one of the Grafton mills be given financial assistance to re-locate to Bathurst. The case became even more compelling when Timber Industries Ltd, the sawmill using the Bathurst resource at the rate of 100,000 cu.m. per annum, revealed that it was planning to export the surplus pine when it became available. Allen Taylor and Co Ltd, which had a quota of 5,260 cu.m. of hardwood in the Washpool area, was insisting that its commitment be honoured, yet both companies were wholly owned subsidiary companies of BMI Ltd!

Unfortunately what I thought was a brilliant idea was completely ignored by both the Government and the timber industry, the only support coming from the Institute of Foresters.

A small group of courageous Grafton residents led by two school teachers, Peter Morgan and Stan Mussared, together with Celia Smith and Greg Clancy, formed the Clarence Valley branch of NPA, thereby incurring many threats and encountering considerable vindictiveness. Bob Ryan, organiser of the ABC's *City Extra* radio program, brought together conservationists and timber workers at a meeting in Grafton on 20 October 1980. Peter Prineas and I attended in order to support the valiant NPA members, but each side was so entrenched that a compromise was impossible.

When the EIS was finally issued two days before Christmas in 1980, the campaign intensified. In Sydney, NPA, TEC, the Colong Committee and the ACF co-operated in the production and distribution of a pamphlet written by Haydn Washington and Rodney Falconer. Four photographs by Leo Meier of disastrous logging scenes were used on thousands of postcards distributed for dispatch to the Premier. Media tours to Washpool were organised and deputations to bureaucrats and politicians took place.

The members of the NPA executive experienced local antagonism at first hand when they held their State Council meeting in Grafton in June 1980. To avoid the impending confrontation organised by the *Grafton Examiner*, the meeting place in the city was changed, but when the party visited Washpool itself they were confronted by a hostile crowd of timber workers. In a conciliatory gesture, the Forestry Commission proposed

the gazettal of the coachwood in the Willowie Scrub as a Flora Reserve, but after the debacle of Gradys Creek, we were not impressed.

Cabinet had earlier decided that the Department of Environment and Planning (DEP) rather than the Forestry Commission should assume responsibility for accessing their Impact Statements. Believing that the Forestry Commission was being economical with the truth in regard to alternative supplies, on 16 January 1982 John Whitehouse, head of DEP's Environment Planning Division, persuaded his Minister, Eric Bedford, to use an interstate consultant, Forest Technical Services Pty Ltd (Fortech) of Canberra, to prepare a *Review of Possible Timber Supplies as Alternatives to the Washpool Area*. Within a month they reported that there were alternative sawlogs in sufficient quantity to continue current mill quotas and therefore employment in five of the six sawmills in the Grafton and Casino Management Areas for the next twenty years, by which time the second cutting cycle would be possible in the regrowth forests.

Neil Byron of Fortech wrote in *The People's Forest* (1999):

It was not a pleasant time in my life. Ken Groves and I were subject to very intense pressures to say what the timber industry, unions and the Forestry Commission wanted and they were in a very strong position. We both received threats. I even had anonymous telephone calls trying to threaten me by targeting my children. Politically it was hot. The Cabinet was split down the middle. As it turned out, the investigation was pretty straight-forward despite the political heat and the emotion.

When the Premier used their consultancy report to convince Cabinet that Grafton would not become a ghost town, there was outrage within the timber industry and the Forestry Commission. Wal Gentle wrote to Byron's boss in ANU demanding his dismissal!

Fortech was blackballed by the Commission, which even tried to impose clearly illegal secondary boycotts on Fortech. The NSW Division of the Institute of Foresters set up a special investigation which continued for several years, but Byron and Groves were not expelled – probably because the Institute had to concede that their arguments were sound. Neil Byron concluded: “It really annoyed senior executives of the Forestry Commission that they could not touch me, mainly because I was an academic and I had an international career”.

For the first time in the rainforest campaign, large and expensive display advertisements appeared in Sydney newspapers. NPA spent \$3,000 on one (increasing membership as a result), and Dick Smith, who had long been sympathetic, inserted another. Inevitably the Forestry Commission and ACS responded, and as a direct result, letters to the *Herald* proliferated. Rodney Falconer had several articles published in the *Herald* and the ACS distributed a brochure entitled *Let the Light Shine Through*, which infuriated conservationists because it made misleading claims. As a result of all this excellent publicity, by mid-1980 Washpool joined the Border Ranges and Terania Creek as a highly recognisable rainforest dispute.

Chapter 12 – Other Rainforest Campaigns

The Hastings

The campaign to save the rainforest in the Forbes River valley behind Port Macquarie which began in 1980 was characterised by considerable animosity. When Paul Scobie, who had been a Project Officer with ACF, settled in the nearby Comboyne Plateau in 1976, he found that the only unlogged forests were promised to the three timber mills in Wauchope, employing 260 workers. With Hugh Veness and Joan Staples, Paul organised a public meeting in Port Macquarie with the intention of forming the Mid North Coast Branch of NPA. However, much to their embarrassment, Ian Nicholas of ACS organised the attendance of over 100 timber workers who were determined that this should not happen. Some weeks later, the Branch was formed quietly and by invitation, with strongly motivated members.

The NSW Government's *Environmental Standard E14* stipulated that the impact of any proposed development by the Crown must be assessed before it could proceed. When it became clear in July 1980 that the Forestry Commission intended to commence building Tigra Road in Mount Boss State Forest without any assessment, Peter Prineas sought an explanation from the Commissioner. With typical bravado, Wal Gentle replied that it was his "wish and intention to proceed with the construction of the road and associated logging of the rainforest in any event, that is, irrespective of the progress and examination of the Environmental Impact Study". This cheek was too much for the Ombudsman who promptly made a finding of "wrong conduct" following a complaint by Prineas. Roger Lembit, who was in charge of TEC's Rainforest Action Centre, gave the finding wide publicity, further embarrassing the Commission.

The public debate continued throughout 1980, fuelled by sympathetic *Herald* journalists Joseph Glascott and Geraldine Brooks, to which Wal Gentle, Jack Henry and Hugh Bell responded with vigour. In August, NPA placed a large advertisement in the *Herald* with a photo of rainforest under the headline *Rainforest: The Facts*, to which the Commission responded two days later with a similar sized advertisement headed *Rainforest: The Truth*.

Peter Prineas and I drove up to attend a weekend strategy conference at the Papinbarra Field Studies Centre at which it was decided that both local and Sydney conservation groups would insist on the preparation of an EIS before any further logging. *Prologue*, the timber industry journal, carried a blistering attack on the conservation movement, rejecting the “hysterical nonsense being shovelled around by these extremists who are selfish individuals”.

Christine Wilcox, wife of Murray who was then President of the ACF, produced a documentary film covering the Hastings valley rainforest dispute which was screened in the Opera House after the fight was won. In a favourable review, Joseph Glascott wrote: “*A Cry for the Wilderness* is more than a scenic tour of the majesty of the forests – it is a social study of the timber-getting communities of the North Coast and the changing mores of our society”.

Dr Hugh Veness, President of NPA’s Mid North Coast Branch, in an article in the *Hastings Gazette* on 3 May 1982, accused sections of the timber industry of conducting a sinister campaign of hatred and intimidation against leading conservationists, alleging threats of murder, arson and car bombing. At a timber workers’ rally in Wauchope a

week later a poster showed a person being run over by a logging truck with the slogan *Squash a Greenie*. Other signs in the long procession of timber trucks and cars advocated shooting or assaulting conservationists. Over 1,000 North Coast timber workers and sympathisers listened to a series of emotive speeches by unionists and the sawmilling executives who organised the rally.

The three local peeling mills felt that they had been betrayed by the Forestry Commission, which had announced that their supply of rainforest timbers, assured until 1986, would now cease two years earlier – in two years' time. Jeff Angel and I prepared several reports which examined the feasibility of peeling hardwood logs. Whilst all agreed that it was technically possible, expensive new machinery requiring a Government subsidy was needed.

The village of Yarras in the ranges west of Wauchope consisted of 30 houses scattered around the Wood Products peeling mill. At one time 150 people were employed there but, due to a shortage of rainforest timbers, only 30 lost their jobs when the mill closed in mid-1982 after operating at a loss for several years. Managing Director Murray Bonhomme unsuccessfully pleaded with the Premier for a subsidy. The houses were bulldozed, the mill dismantled and the village ceased to exist.

When the EIS required under the new Environmental Protection and Assessment Act was finally made public in August 1981, Peter Prineas, on behalf of NPA, challenged its adequacy in the Land and Environment Court. Our case was very ably argued by Murray Wilcox QC over 15 days in the first nine months of 1982. A farcical situation developed when the Forestry Commission barrister refused to allow the leaked Fortech

report on Washpool to be put in evidence because it was a Cabinet document – even though both sides had a copy! Murray Wilcox was forced to call the author, Ken Groves, who then had to perform a tortuous exercise as he excluded from his evidence on peeling hardwoods anything he had learned as a result of his Washpool study! Further comic relief was provided when he pointed out to the Judge that the veneer panelling in his court was made from hardwood!

Mr Justice Cripps ruled in our favour in that the roading and logging proposals in the Forbes River valley were subject to the provisions of the EPA Act. However, he also found that the EIS substantially complied with the Act and was therefore valid, thus making NPA liable for substantial costs. NPA subsequently appealed to the Premier, using me as the messenger, and was successful in receiving an ex gratia payment to cover the costs on the grounds that the action constituted a test case. The lengthy court proceedings achieved the original aim of keeping the loggers out of the area for almost a year. Two weeks before Mr Justice Cripps delivered his judgement, the Premier announced that 20,500 ha in dispute was being considered as an addition to the adjoining Werrikimbe National Park and therefore logging should not proceed. Forestry had won a hollow victory!

The Black Scrub

The trustees of New England National Park had long believed that Bellinger State Forest of 6,200 ha, running along the escarpment to the Park's north and known as the Black Scrub, should also become National Park. Officers of NPWS investigated the proposal and recommended reservation but Don Johnstone, under pressure from the

Forestry Commission, ruled that gazettal be deferred until after the State Forest had been logged.

In 1977 the Commission announced that over the next seven years it planned to extract 131,000 cu.m. of moist hardwood. Believing that the roading and logging of the extremely steep escarpment slopes would destroy much of the rainforest and create unacceptable traffic hazards, the local alternative society residents formed the Black Scrub Association and demanded an EIS or an inquiry by DEP. They received support from the Uluararra Society, the three local NPA branches and the Bellingen Shire Council, which was concerned for its bridges. An article in the *National Times* entitled *A clash of cultures* characterised the dispute as a conflict between young lefties and older residents.

A sloppy EIS was completed in mid-1979, but, in order to avoid close public scrutiny, was only exhibited locally. NPA publicly criticised both the secrecy and the lack of flora and fauna surveys, and succeeded in obtaining six months' extension for comments. When the Terania Creek dispute erupted in August, the Forestry Commission must have decided that they could not risk another such damaging confrontation with "alternatives", and no logging took place. The Black Scrub was added to the not negotiable list presented to the Cabinet Sub-committee.

Barrington Tops

Large segments of temperate rainforest on Barrington Tops under the control of the Forestry Commission were not in contention during the campaign because no rainforest logging was taking place. However, early in 1982 the Commission released the

Chichester Management Plan which proposed roading and logging in the catchments of the Paterson River and Boonabilla Creek. The Colong Committee, supported by the Newcastle Flora and Fauna Society, employed Roger Lembit to carry out a two week investigation in March 1982, seeking suitable additions to the small National Park which had been created in 1969. He recommended that the Chichester catchment of 14,082 ha under the control of the Hunter District Water Board, with the catchments of the two streams, which the Forestry Commission proposed to log (7,450 ha), and Mount Royal State Forest (1,250 ha), should be added to the existing Barrington Tops National Park.

The Colong Committee sought and obtained the support of the National Trust, NPA and NCC for the additions. When these organisations began lobbying members of the Premier's Cabinet Sub-committee examining the issue, the ministerial staff involved reacted strongly, urging that Barrington Tops not become an area of dispute as no logging was taking place. However, as we believed that when a decision was finally made there would be no second bite of the cherry, we ignored their advice and Barrington Tops became the seventh and last of the not negotiable rainforest areas presented to the Premier.

Meanwhile Roger Lembit wrote to the Forestry Commission threatening action under Section 112 of the EPA Act if the proposed roading of the Chichester catchment commenced in the latter half of 1982. No reply was received, but no roading took place.

Murray Scrub

Jack Hurley, owner of Premier Motors (Kyogle) Pty Ltd was a contractor to the Forestry Commission and one of our most outspoken opponents. The 765 ha lowland rainforest pocket known as the Murray Scrub was quite close to Kyogle and, according to him, contained the greatest concentration of feeding trees and resultant birdlife on the North Coast. He wrote to Forestry Minister Lin Gordon, upset that, as a result of “interference by intruders”, the Government had decided to protect Levers Plateau. The consequent reduction in the supply of timber to the local mills threatened the Murray Scrub, which had never been logged. When Lin Gordon, although very sympathetic, replied that he could not assist, Jack Hurley offered to come down to Sydney and speak to the Premier. The Forestry Commission planned to log the area in 1982, but desisted because they believed that a final decision on rainforest was imminent.

It was exceedingly novel to have one who was strongly opposed to our campaign, and such an influential local, pleading for the protection of one small sample of rainforest! Overlooking the contradiction, we decided to include the Murray Scrub on the list of seven not negotiable rainforest areas given to the Premier’s Cabinet Sub-committee.

Nightcap

Just to the north of Nimbin, where many alternative society people lived, lay the Nightcap range, which, although dedicated as a National Forest in 1937, was heavily logged during the Second World War. In July 1982, shocked by the devastation caused by the logging of nearby Griers Scrub, some of the locals formed the Nightcap Action Group (NAG) and began a campaign of harassment in the forest, the dramatic story of which is told in *Earth First* (1987) by Jeni Kendell and Eddie Buivids.

The demonstrators, many of whom were veterans of the Terania Creek confrontation three years earlier, included John Seed, Ian Cohen and Bren Claridge. The well organised protests began as non-violent harassment but soon assaults took place and shots were fired. One protester recalled:

We appeared under trees in the felling area and in front of the dozers – dangerous activity, especially as there were no police or witnesses to inhibit the forest workers. Trees were felled regardless of safety and bulldozers charged at full throttle sending us leaping for our lives. When the loggers radioed for the police, some protesters would allow themselves to get arrested, while the rest would disappear into the forest.

The numerous arrests kept the issue in the media, the confrontations appearing on television on several occasions. Under new trespass regulations the Commission officers tried to lock the protesters out of the forest, but this device proved futile when the large locks were treated with Araldite glue overnight, resulting in the logging crews themselves being unable to get in the next morning!

Intermittent skirmishes continued for two months, both sides convinced that the Government had to be shocked into taking action. Ian Cohen, who was later elected to the NSW Legislative Council, mentioned in his autobiography, *Green Fire*, that one of the police told him: “You may have won Terania but you’re not going to get this one!”

By the end of September the logging of Griers Scrub was complete and the operators were about to move to Mt Nardi on the Nightcap Range. A Lismore sympathiser alerted NAG members. Ian Cohen recalled the scene:

At 3:30am the convoy of loggers’ vehicles with police escort passed our first checkpoint. I rolled the old truck in front of the next cattle grid, locked it up and bolted. It eventually took a bulldozer to push it off the road and the convoy proceeded up the mountain, but around the next

bend was an immense fire burning in the middle of the road which the ‘dozer disposed of, scattering burning logs into the protesters. It took a dozen loggers to replace the cattle grid which we had removed from the road. Police reinforcements arrived and we were forced back further and further up the mountain but dawn was breaking and the media helicopters would come soon.

Despite these desperate measures, the protesters were losing the battle, so at short notice, Peter Prineas sought an injunction against the Forestry Commission and Standard Sawmilling in the Land and Environment Court. In order to avoid crippling costs being awarded against them if they lost the case, Dianne Kivi, an indigent Nimbin resident (in legal terms “a person of straw”) was the nominal applicant. Rejecting this subterfuge, the opposition sought a bond of \$10,000 to cover their costs if they won the case. To everyone’s surprise, our pro bono barrister, Murray Wilcox QC, himself guaranteed the bond – an unprecedented and risky legal move. The injunction was granted and the case heard by Mr Justice Cripps over five days, conservation witnesses from NPWS and the Australian Museum arguing that an Environmental Impact Study was necessary as the logging was likely to significantly affect the environment.

Justice Cripps took a “no nonsense” approach. When the sawmillers’ barrister argued that the area had already been partly logged, he retorted: “The third wave of bombers which blasted West Beirut did a lot of damage. You would not say that had no significant impact on the environment because it had already been bombed twice!”

When he gave his decision in favour of the protesters on 22 October, the timber lobby reacted sharply, claiming that if an EIS was required before every logging operation, the industry was doomed.

The Unbitten Bullet was the title of the *Herald's* leader dealing with the Nightcap protests:

All this has irritated the Premier, who, obviously speaking without the mellowing influence of a cheeky little chardonnay, said he would not be intimidated by conservationists into making a hasty decision. Hasty, indeed! The rainforest saga in NSW has already stretched to the dimensions rivalling Blue Hills.

During the 1980's, access to the Land and Environment Court in connection with forestry disputes was often facilitated by a grant of legal aid. I was appointed a member of the Environmental Advisory Committee of the NSW Legal Aid Commission as a conservation representative. We made numerous grants until the Coalition regained Government in 1988, which first restricted and later disbanded the Committee.

In my capacity as an interested member of the public, I attended the Supreme Court on 14 February 1984 when Mr Justice Samuels and two fellow Judges heard an appeal by the Forestry Commission against the granting of the injunction to Dianne Kivi of the Nightcap Action Group which stopped the logging in Goonimbar State Forest in October 1982. For two hours, David Officer QC, Counsel for the Commission, argued that Mr Justice Cripps had erred in the Land and Environment Court, basing his case on a purely technical aspect in regard to the timing of the decision to begin logging; the effect on the environment was quite irrelevant! Just before the luncheon adjournment, Murray Wilcox, who again appeared pro bono for NAG, mentioned that the area in dispute was now in the Nightcap National Park and consequently could not be logged even if the appeal were to be granted.

After lunch all three Judges closely questioned both counsel – presumably to verify that they had heard correctly! Yes, surprise surprise, the whole area was now completely protected, the Forestry Revocation and National Park Reservation Act having become law almost a year earlier on 22 April 1983. David Officer maintained that this was news to him too! However the Commission wished to proceed so that the Supreme Court could give some guidance in regard to the need to prepare Environmental Impact Statements in future. Rather bluntly, all three Judges declined assistance, expressing the view that each case should be considered on its merits. After several whispered conversations the three Judges each gave their considered opinion – Mr Justice Cripps had not erred and therefore the appeal should be dismissed with costs to be borne by the Forestry Commission. Only one Judge said that the appeal had been unnecessary.

As the only member of the general public in the court, I wondered whether remand prisoners waiting almost a year for their case to be heard in the Supreme Court would be quite so charitable about such a time-wasting academic exercise! It is difficult to assess with any accuracy what three Judges, three tipstuffs, three court staff, three barristers and two solicitors on the case cost the taxpayer, but whatever the amount, it was a disgraceful waste of public money by a discredited Forestry Commission.

Chapter 13 – The Cabinet Decision

The Cabinet Sub-committee on Rainforests consisted of Premier Neville Wran as Chairman, Eric Bedford (Minister for Planning and Environment), Eric Booth (Treasurer), Lin Gordon (Local Government, Lands and Forests) and Don Day (Industrial Development and Decentralisation). NCC wrote to the Premier congratulating him on the initiative and listing seven disputed rainforest areas which must become National Parks: Border Ranges, Murray Scrub, Nightcap, Hastings, Black Scrub, Washpool and Barrington Tops.

The Cabinet Sub-committee met first with the sawmillers and on 20 May 1982 with seven leading conservationists from Sydney and seven from the North Coast. Len Willan, representing NCC, presented each Minister and the Premier with the same list of seven non-negotiable areas which we wanted removed from Forestry Commission control and given to NPWS. During the animated discussion which followed, much heat but little light was engendered as Don Day and Lin Gordon deliberately baited the more outspoken conservationists such as Milo Dunphy and Bren Claridge. As we filed out after the frustrating slanging match, I told Neville Wran quietly that a compromise was possible and he phoned me next day to discuss strategies.

By now Fortech, the Canberra-based consultant, had reported to DEP that, contrary to Forestry advice, alternative supplies of timber were available. In great secrecy John Whitehouse was called to the Premier's Office ("don't even tell Bedford"), to discuss this development. Six of the seven disputed areas could be conceded but Washpool was a problem. A compromise was necessary to save Don Day's seat and placate the Grafton sawmillers who were threatening to close if there was any loss of resource.

Although the Premier had promised both sides an early decision, July and August passed without any announcement. Everyone concerned with the issue became frustrated and angry. TEC organised a media event outside Lin Gordon's office and NAG, threatening another Terania Creek, physically confronted loggers in the Mt Nardi rainforest. NAG's open letter to the Premier headed *Will the Wran Government have blood on its hands?* began with:

At 4am on 29 September, thirty police, accompanied by forty loggers, brutally pushed conservationists aside to enter the Mt Nardi section of the proposed Nightcap National Park. A bulldozer charged a group of people and several were knocked down in the confusion. Mr Wran, are you going to do nothing until someone is seriously injured or killed?

Jeff Angel (TEC) gave a copy of the Fortech report to Joseph Glascott in August, resulting in the Government being criticised for keeping secret a report which revealed that there would be no unemployment in Grafton if Washpool became a National Park. The *Herald* editorial on 4 October read: "The Government has been bedevilled by the rainforest issue since it came to power in 1976. It has seen reports by committees, EIS's and endless arguments in Cabinet. It has ample material from which to formulate a comprehensive policy."

The fighting in the forest with over 100 arrests made excellent television and finally forced Wran to bite the bullet, placing Washpool on the Cabinet agenda for 19 October. Political analysts believed that the trees had the numbers in Cabinet, but the Premier was so worried that he insisted Paul Landa return early from Tokyo for the meeting.

Four days before the fateful Cabinet meeting the Premier asked me to come in for a discussion, no doubt to try out on a moderate conservationist the compromise he was considering. Levers Plateau and Gradys Creek were so well known that the Premier advised that they were safe within the large Border Ranges National Park which we had won. Terania Creek, within an expanded Nightcap National Park, was also safe, but although we could have most of the Hastings area, the boundaries were in dispute and consideration would have to be deferred.

The bad news was that he had decided that the northern end of Washpool would not become National Park because the timber there was essential to the long-term survival of Big River Timbers. I suggested a subsidy of \$200,000 to allow the company to switch to peeling hardwoods but the Premier was adamant. I felt that he did not want to humiliate his opposition in Cabinet when they were already on the ropes; it would be good politics to give Don Day a minor win in his electorate. Barrington Tops was a problem because, due to its late inclusion, the bureaucracy had little detailed information. I suggested deferral to allow NPWS and the Forestry Commission to prepare a joint submission, and he agreed. I was able to assure him that Barrie Unsworth and Joe Weir were incorrect when they warned him that we had many more claims pending. We did not. Concluding the discussion, I told the Premier that the conservation movement generally would be happy with the proposal he was taking to Cabinet but that undoubtedly Milo would complain about the compromise on Washpool, and I was right!

At 8am on 19 October the Premier received a Trade Union delegation led by Barrie Unsworth MLC, Secretary of the NSW Labor Council, who, according to Paul Steketee,

the *Herald's* Political Writer, “vehemently warned that the issue represented a watershed in relations between the Government and the union movement”. The Premier took copious notes and reported the discussion in the Cabinet meeting at which Eric Bedford presented a compromise proposal which would permit the logging of 25,000 cu.m. from the northern end of Washpool. Don Day pressed for 42,000 cu.m. but after three hours of heated discussion the matter was deferred for a week in order to obtain more information.

So controversial had the rainforest issue become that the original plan of progressive examination over six weeks was abandoned. Instead, Washpool, the Border Ranges, Nightcap and Hastings would all be decided the following Tuesday, 26 October 1982. Whitehouse, Hitchcock and their colleagues worked day and night from Wednesday until Sunday to produce an illustrated submission which was distributed to Cabinet members on the Monday. The meeting on Tuesday was the longest ever Cabinet consideration of a single issue – 8:30am to 4:30pm. Large aerial and satellite photographs lined the walls, with overlays showing different options. Messrs Whitehouse, Hitchcock and Stewart (Forestry) were called into the Cabinet room from time to time to explain the effects of various alternative proposals.

Lin Gordon and Don Day fought tenaciously but eleven other Ministers and the Premier were convinced that alternative supplies were available to prevent the threatened job losses. The only compromise agreed to was the northern end of Washpool. The quite unprecedented aspect of the debate was that with this one exception, Cabinet members declined the advice of their own Government agency. Forestry Minister Lin Gordon

was only able to rely on the votes of his Catholic Right faction; Pat Hills, Kevin Stewart, Ron Mulock and Terry Sheahan. The final vote in favour was 12 to 6.

At the media conference called at 5pm to catch the evening television news, the first area mentioned by the Premier was Gradys Creek, a tribute to the effectiveness of our campaign to embarrass the Government over its indefensible decision four years earlier. Politicians rarely admit to errors of judgement, but the stupidity of that decision was privately acknowledged in April 1979 when Vincent Serventy introduced Sir Peter Scott, the famous English conservationist, to Paul Landa. When the discussion turned to protection of rainforest, Landa commented, with some asperity, "I'm not going to make another mistake like the Border Ranges!"

The Cabinet Decision

The Government's rainforest policy had four elements:

- Conservation of certain areas in National Parks.
- Maintenance of employment.
- Identification of alternate timber sources.
- A Rainforest Fund of \$1 million to promote new technologies. (It was never paid.)

The areas removed from Forestry and given to NPWS were:

- Border Ranges National Park, to include Wiangarie, Roseberry and Mt Lindesay State Forests, including the unlogged Gradys Creek Flora Reserve.
- Nightcap National Park, to consist of Goonimbar and Whian Whian State Forests, including Terania Creek.

- Washpool National Park of 23,000 ha, with the northern end to remain under the control of the Forestry Commission.
- Werrikimbe National Park in the Hastings Valley, proposed additions of 20,500 ha deferred.
- Barrington Tops National Park, proposed additions deferred.
- Black Scrub – 6,200 ha to be added to New England National Park.
- Murray Scrub to become a Forestry Flora Reserve.
- Mt Hyland (1,634 ha) and Mt Seaview (1,426 ha) to become new Nature Reserves.

I had kept the *Herald's* Environment Writer, Joseph Glascott, fully informed throughout the campaign. In his article on 28 October 1982 he wrote:

Mr Jim Somerville, vice chairman of the Colong Committee, who has been involved in the rainforest preservation campaign from the outset, said yesterday: “When we began the campaign for the Border Ranges National Park in 1975 we had no idea that seven years later all logging in rainforests would cease and that the rainforest would be included in a number of new parks”.

(But I was wrong as *all* rainforest logging did not cease.) The article also quoted Richard Rowe, President of the National Trust, who referred to the decision as a “milestone in the history of conservation in NSW”, and Keith Jordan of NSW Forest Products Association, who said that it was “totally contrary to commonsense as the mythical alternative supplies are simply not there”. The final *Herald* editorial on the issue concluded that: “An apprehensive industry can take comfort in the Government’s pledge on employment and its guarantee about availability of alternative timber sources”.

The conservation groups placed a large advertisement in the following Saturday's *Herald* saying *Thanks for the Rainforest* to Neville Wran and Jack Ferguson. This was used by the Premier at the Caucus meeting on 3 November when a move was made to have the decision referred to the Caucus Sub-committee on the Environment. Alan Stewart, Member for Manly, helped quash this move, and the final vote endorsing Cabinet's decision was an excellent 42 to 15, clearly transcending factional groupings. Not everyone was pleased; John Laws called down "a plague on the house of the greenies" and Leon Punch, leader of the Country Party, said "the greenies have taken over the Government".

Following the Cabinet meeting, debriefing sessions were held separately in Parliament House for the timber industry and conservation groups. An irate party of 20 sawmillers, having won or drawn five separate inquiries over seven years, left aggrieved because they believed that Cabinet had been misled by incorrect Fortech data. An embarrassed Lin Gordon promised further study which, of course, never happened. The conservationists' debrief was tranquil even though a few hard-liners thought that all rainforest logging should have been stopped. Although early gazettal of the 63,000 ha being transferred from the Forestry Commission to NPWS was promised, it did not occur until five months later.

Very wisely, Cabinet decided to leave the resolution of the three deferred areas to the Premier, so a year later he had before him a NPWS/DEP proposal prepared by Messrs Whitehouse and Hitchcock, and another by the Forestry Commission. Not surprisingly, he chose the former and issued a press release on 24 January 1984 which announced

additions of 22,737 ha to Barrington Tops, 20,500 ha to Werrikimbe, 4,270 ha to Washpool and an unexpected 3,910 ha to Dorrigo.

Taken together, the two decisions increased the NPWS estate by 118,128 ha made up as follows:

	Hectares
Border Ranges National Park	30,129
Nightcap National Park	4,277
Washpool National Park	27,715
Werrikimbe National Park additions	20,500
New England National Park additions	6,200
Dorrigo National Park additions	3,910
Barrington Tops National Park additions	22,737
Mt Hyland Nature Reserve	1,634
Mt Seaview Nature Reserve	1,426
	118,128

The Forestry Commission gained three new Flora Reserves:

	Hectares
Murray Scrub	765
Cambridge Plateau	870
Sandy Creek	190
	1,825

According to a 1981 inventory of “true rainforest” compiled by the Forestry Commission, 253,000 ha remained, of which 54% was virtually undisturbed, 22%

logged but with structure retained, and 24% with structure changed or removed.

However, another inventory compiled in 1990 by the Federal Government (see Postscript) increased the total to 297,000 ha of which one third was in the NPWS estate and half in State Forests where it would not be logged.

The only disappointment was the northern section of Washpool, which was left under the control of the Forestry Commission in order to provide a more flexible transition for Big River Timbers as it changed to the use of non-rainforest timbers over the next eight years. This one compromise in the Cabinet decision of 26 October was accepted by all the conservation groups except TEC. Milo, who detested any compromise, complained loudly that Washpool had been “scalped”. Six years later, the loss still rankling, he persuaded The Wilderness Society (TWS) to take up the issue and their members began blockading logging in the Desert and Malara Creek catchments following the refusal by the Coalition Government of their 6,733 ha wilderness nomination.

Meanwhile, John Corkill, acting on behalf of the North East Forest Alliance, took the Forestry Commission to the Land and Environment Court, claiming that another EIS was required as the one prepared in 1980 was not sufficiently site specific. He won an injunction and an undertaking from the Forestry Commission that they would prepare another EIS, but when it was released in 1992 it supported continued logging, and Minister Webster happily approved. However, soon after the Labor Government returned to office in 1995, a Forestry Revocation Act was passed under which the disputed northern section was added to Washpool National Park. Before he died in April 1996, Milo rejoiced in the fact that he had won in the end, even though it had taken 14 years!

Early in 1984 the Labor Government and Wran himself were involved in corruption allegations which were later proven false. The Premier called an election for 24 March 1984. In his policy speech at Grafton, the leader of the Country Party, Leon Punch, advocated the logging of National Parks, which naturally set alarm bells ringing in the conservation camp. Jeff Angel secured funding for a large advertisement in the *Herald* attacking both Punch and his Coalition partner Greiner over the issue. This resulted in a spate of letters from sawmillers and conservationists as well as mention on talk-back radio, and led to a retreat by Coalition leaders from a policy decision which was now obviously counter-productive.

In sharp contrast, Premier Wran's commitment to the expansion of the National Park system and the preservation of rainforest was unequivocal. He sought and obtained the support of Bob Brown (TWS), hero of the Franklin Dam campaign, and two days before the election said "I have particular pleasure in announcing that we will nominate the NSW rainforest National Parks to the Commonwealth for inclusion in the World Heritage list under the UNESCO Convention". Now on the defensive, the Coalition claimed repeatedly that only eucalypts and not rainforests in National Parks would be logged. Unfortunately, the large media photograph used to illustrate a newspaper article entitled *The Rainforests are there to stay* was a stand of eucalypts with no rainforest in sight! The Labor Government was returned at the March election with a reduction in their substantial majority, and the Second Rainforest Bill was passed on 27 June 1984.

Chapter 14 – Reactions

It was Victor Hugo who said “There is nothing so powerful as an idea whose time has come”. Thus it was that a wide range of people throughout the State became converted to the cause and took action within their own sphere of influence. By stimulating public awareness of the rainforest issue, the conservation movement, aided by the media, made it very clear what the people wanted and the Wran Labor Government was able to do what was environmentally desirable as well as politically expedient.

The constant and strident criticism of the management of the forests by the Commission was deeply resented by the senior staff. Instead of responding positively to the clearly signalled change in community attitudes, they developed a siege mentality, identifying even more closely with the sawmillers they were established to regulate. Many of their wounds were self-inflicted: dedicating Gradys Creek Flora Reserve in perpetuity and then proposing to log it, calling in police at Terania to arrest non-violent protesters, denying that the Urbenville forests were a viable alternative for four years and then reversing the decision. The overriding reason for their loss of public and political support was their inability to perceive that for most city people, not just the extremists they derided, the rainforest had other values beside timber. As the conservationists were motivated by altruism, they were able to take the high moral ground, whereas the sawmillers were obviously motivated by self-interest.

In a special article in the *Herald* headlined *The battle behind the battle for our rainforests*, Joseph Glascott examined the poor policy decisions made by the Forestry Commission and their struggle for supremacy within the bureaucracy, which they lost because of their naïve belief that they could beat the conservationists. He considered

that their biggest mistake was in fighting an expensive “do or die” case over Terania Creek because they saw it as the thin end of the wedge for the control of the forests. Although they won, the negative publicity over such a long period damaged their credibility. Another factor was allowing a violent confrontation to develop in the Nightcap Ranges in the final stages of the campaign. After conceding that the Commission officers were dedicated foresters, Glascott concluded nevertheless that “their unyielding attitude to the demands of forest conservation has now put the Commission out on a limb in the Government power stakes”.

In reviewing the 10 year campaign in the *NPA Journal*, Peter Prineas, who had a waspish sense of humour, wrote: “Fortech found plenty of logs in the Washpool forests. They also struck a few more propped up behind desks in the head office of the Forestry Commission!” This facetious comment so enraged Commission staff that, acting on instructions from their union, they cut off all contact with NPA for several years!

The attitude of NPWS changed as the campaign developed, moving from downright pessimism to enthusiastic optimism, but it is clear that, without the unremitting pressure of the voluntary conservation movement, the rainforest National Parks would not have been won. It was the voluntary movement, not the responsible Government authority, which forced the Border Ranges and Terania Creek Inquiries, but even then, dedicated officers such as Peter Hitchcock were only permitted to present the NPWS case and not debate it or question that of Forestry. It was not until the last year of the campaign that Peter Prineas was able to subpoena NPWS officers to appear in the Land and Environment Court where they were on an equal footing with officers of the Forestry Commission. The lack of positive support by the Director and his Minister was galling

to many of the NPWS staff involved, as it reflected the lower status of conservation in the Cabinet hierarchy.

Immediately after the Cabinet decision, the Premier said that anyone with a different view would have a hard time convincing him of the need to alter that decision.

Undeterred, the North Coast branch of ACS inserted a large advertisement in the *Herald*, calling for “deferral until the long term effects are fully known”. As a public relations exercise it was a complete waste of money. The sawmillers were slow to grasp the widespread change in public opinion and, contrary to their oft-stated view, there was no backlash on the North Coast.

The rainforest campaign was a classic example of an entrenched industry losing out to the ability of environmentalists to tap into wider public support, which brought about political change. The Premier’s intervention, overriding a judicial inquiry won by the Commission, was rightly seen by senior staff as the beginning of a slippery slide into public and political disapproval.

This campaign, followed in the next 20 years by the old growth forests campaign, forced the Commission to make profound changes in order to reflect community values. Conservationists’ claims of mismanagement and irreversible damage to the forests were supported by judgements in the Land and Environment Court, and gradually whittled away their power to have full control over their operations. Other bureaucracies, exerting their statutory rights, began to take a greater interest in soil erosion and water catchments – matters once the sole preserve of the Forestry Commission. Cabinet’s unprecedented decision in 1982 to reject the advice of the Commission was a well-

deserved blow to their prestige and resulted in their loss to DEP and NPWS in the bureaucratic power play.

Just as we could not have won without the support of Neville Wran, equally we could not have won without the support of Joseph Glascott, who commented that major conservation issues involved such conflicting interests that they were seldom resolved quickly. On retiring in 1988, he wrote: “The creation of the rainforest National Parks was undoubtedly the highlight of my fourteen years as the *Herald* Environment Writer”.

Two of our leading opponents wrote of the effect of the Government decision. George Baur contributed a chapter to *Forest Management in Australia* (1991) in which he castigated the Commission for failing to make the hard political decisions necessary to achieve sustained management decades earlier. Dealing briefly with the campaign, which he considered was conducted with “more heat than enlightenment”, he stated that the decision, although it was “excessive in terms of the wise use of a limited but renewable natural resource, was understandable in the circumstances”.

Bill Hurditch contributed a chapter to *Managing the Tropical Forest* (1985), dealing with the NSW rainforests, which he titled *The transition from exploitation to protection*. The legal challenges were covered at length, but the Terania confrontation and Inquiry rated only one brief paragraph. Following the Cabinet decision, Hurditch noted that “foresters were dismayed because of the reliance on timber volume estimates provided by an independent consultant rather than the Forestry Commission”. He supported the 1975 phasing out policy, making the claim that if it had been implemented, then 20 years later there would still have been 116,000 ha of “virtually undisturbed” rainforest

of all types left in NSW. The disaster suffered by the Forestry Commission was the result of “city politicians who acquired votes by appearing as saviours”.

In retrospect it is ironic to note that, despite the efforts of the Government to assure supplies to Munro and Lever’s Grevillea mill by logging Gradys Creek, a few years later Carricks Ltd, their Brisbane based owners, restructured and closed the operation. In doing so they negated their oft-repeated concern for the welfare of their employees, which they used to oppose a Border Ranges National Park. Although the Forestry Commission established an expensive pine plantation in order to protect the jobs, the overriding concern of the Company was profit, not jobs. Had the conservation movement not fought for Gradys Creek, it would have suffered extensive damage for no good reason.

Although the politicians happily took full credit for saving the rainforest (which they did), some, including the Premier, had the grace to concede that the initiative came from the voluntary conservation movement. The politicians were followers, not leaders, in this social issue.

Dr Peter Myerscough, head of Sydney University School of Biological Sciences and a long-time supporter, wrote to the Premier claiming that the only other decision this century which equalled his in protecting natural scientific resources was that of Sir William McKell in establishing Kosciuszko National Park – also in the teeth of opposition.

During the discussion with the Premier prior to the decisive Cabinet meeting on 26 October 1982, Barrie Unsworth, who later himself became Premier, warned Neville Wran not to accept the arguments of the “middle class Volvo set”. Hearing of this bizarre outburst, Joseph Glascott wrote a humorous piece for the *Herald* headlined *No Volvos at the bottom of the Greenies’ gardens*, in which he pointed out that the directors of NPA, TEC and NCC all drove rather dilapidated small Japanese cars while Barrie himself drove a large Ford Fairlane. A few days later it was gleefully reported in the *Herald’s Column 8* that “three Volvos were parked outside Barrie’s ALP Branch meeting at Turramurra last Tuesday night”.

Conservationists were equally guilty of using exaggeration and untruths in their propaganda. Milo frequently described areas he wished to save as “the last . . .” This enraged our opponents, who knew it to be false. Cynics observed the remarkable ability of endangered species to suddenly appear in areas about to be logged!

The economic consequences of the proposal to remove such large areas from the control of the Forestry Commission were of such importance that inevitably passions ran high. Whilst retaliatory threats were frequent and widespread on the North Coast, in Sydney Milo was the main target; undertakers made several visits to his home, and unordered goods were often delivered as part of an ongoing campaign of harassment. I only received one threat – a phone call taken by my wife.

Chapter 15 – World Heritage Listing

The Convention Concerning the Protection of the World Cultural and Natural Heritage was adopted by UNESCO in 1972. Listing is a recognition by the international community that the subject is irreplaceable and must be conserved for the benefit of all the world's people. Already almost 600 cultural sites, including the Egyptian Pyramids, and 150 natural sites, including the Grand Canyon, have been listed.

At a meeting of the World Heritage Committee at the Sydney Opera House in 1981, the first three Australian sites were listed – The Great Barrier Reef, Kakadu and Willandra Lakes. The following year Lord Howe Island and Western Tasmania National Parks were added.

It was clear that the new rainforest National Parks would only be safe while Labor was in Government. In order to prevent any changes when the Coalition regained power, it was suggested to the Premier by one of his senior staff, John Grant, that if they were listed as World Heritage they would be safe. A Working Group consisting of Peter Hitchcock, John Whitehouse, Paul Adam (Senior Lecturer in Botany at the University of NSW) and Ian Sim (DEP) prepared a comprehensive nomination which relied mainly on the earlier research of Alex Floyd and Len Webb. In May 1984 the Premier moved in the Legislative Assembly “that this House supports the nomination of rainforest National Parks in NSW to be submitted for inclusion in the World Heritage List under the UNESCO Convention”. It was passed despite objections from the Opposition. When the nomination was published, Bob Carr, then Minister for Environment and Planning but later Premier, wrote: “The conservation of the State's rainforest is one of

our biggest wins yet for the environment. As Neville Wran has said, it may well be regarded by future generations as the Government's crowning achievement.”

Dr James Thorsell inspected the site on behalf of the International Union for the Conservation of Nature in February 1986, and strongly recommended inclusion. It was guided through UNESCO by Gough Whitlam, who was Vice President of the committee. Hopefully he was aware that it was his Government which had approved the grant of \$5,000 to the Border Ranges Preservation Society back in 1975.

The nomination satisfied three of the four criteria required for natural properties:

- An outstanding example representing major stages of the earth's evolutionary history.
- An outstanding example representing ongoing geological processes and biological evolution.
- Containing important and scientific habitats for in situ conservation of biological diversity.

(The fourth, unsatisfied criterion was scenic.)

The first of the six nominated sites totalling 203,000 ha was the Tweed Volcanic Group of which the Border Ranges National Park was the jewel in the crown, Gradys Creek being specifically mentioned because of its spectacular and dense rainforest.

Following the electoral defeat of the Bjelke-Petersen Government, the listing was enlarged to include rainforest areas in South East Queensland, and renamed Central Eastern Rainforest Reserves (Australia) – CERRA. In 1994 it comprised 50 sites in

eight clusters totalling 366,507 ha, not only in National Parks and Nature Reserves but also in State Forests and Flora Reserves. It was officially described as a living illustration of the evolution of Australian plant life during and after the break-up of Gondwana.

The eight clusters comprise:

1. Main Range Group - Sub-tropical rainforest in South East Queensland.
2. Border Ranges Group - Border Ranges, Nightcap and Mt Warning National Parks in NSW and Lamington and Springbrook National Parks in Queensland.
3. Focal Peak Group - Mt Barney, Toonumbah and Tooloom National Parks.
4. Iluka Group - Littoral rainforest in Iluka Nature Reserve.
5. Gibraltar Range Group - Washpool and Gibraltar Range National Parks.
6. New England Group - Dorrigo and New England National Parks.
7. Hastings-Macleay Group - Oxley Wild Rivers and Werrikimbe National Parks.
8. Barrington Tops Group - Barrington Tops National Park.

Dr James Thorsell told members of the NSW Ministers Parliamentary Committee that IUCN considered NSW a world leader in rainforest protection and NPWS one of the top four Park Services in the world.

Gradys Creek, which the Forestry Commission almost succeeded in destroying eight years earlier, was now recognised as being of world significance; it lay in the heart of the largest undisturbed sub-tropical rainforest in Australia, comprising the Border Ranges in NSW and Lamington National Park in Queensland. The extensive bibliography supporting the World Heritage nomination contains my name as author of *How the Rainforest was Saved* (1983), even though, because of fears of an action for defamation, it does not appear in the publication itself!

John Whitehouse, who accompanied Thorsell in his week-long evaluation of the seven rainforest parks, said that it was when they reached the Border Ranges that Thorsell made up his mind that World Heritage listing was merited, remarking that although each park was unique, together they were akin to the Galapagos Islands in their contribution to science.

Following the gazettal of the new rainforest National Parks, members of the Coalition maintained that although they would not allow the logging of rainforest, they would allow the logging of hardwood, which they had long argued should not have been included. Liberal Party Shadow Environment Minister Tim Moore realised that once the parks achieved World Heritage listing this was an untenable policy, so he arranged for the Leader of the Opposition, Nick Greiner, to meet James Thorsell when he was in NSW assessing the nomination for IUCN. As a direct result of this meeting, “the inescapable political conclusion” (Moore’s words) was that the Party could not face the overwhelming opprobrium which would follow changing the boundaries in order to make the hardwood available to the sawmillers. However, the Liberal Party was unable to convince the National Party members who were still fretting over the declaration of

the new parks, and an embarrassed Tim Moore was forced to admit publicly that “the Coalition Parties are in disagreement in regard to National Parks”. This did not prevent Nick Greiner declaring in 1986 that no Government led by him would change the boundaries, and it was so. Thus the Labor Party strategy resulted in permanent protection. No longer need Bob Carr cry “The barbarians are at the gates!”

Tim Moore LLB MP was a keen conservationist with whom I had numerous discussions. In a speech in the legislative assembly in October 1985 he stressed the need for bipartisan support for the environment, but when he did become Minister for Environment in 1988, his efforts were often frustrated by members of his own side.

Chapter 16 – Wilderness Declarations

The United States of America Wilderness Act definition reads:

A wilderness is hereby recognised as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor and does not remain . . . An area of undeveloped land retaining its primeval character and influence without permanent improvement or human habitation.

The NSW Wilderness Act, passed in 1987 with the support of Bob Carr, identifies wilderness as:

An area, together with its plant and animal communities, in a state that has not been substantially modified by humans and their works or is capable of being restored to such a state . . . An area capable of providing opportunities for solitude and appropriate self-reliant recreation.

Shortly after the Act which it advocated had become law, the Colong Foundation for Wilderness nominated 17,000 ha of “exceptional wilderness quality” comprising Lamington National Park and Gradys, Brindle and Sheepstation Creeks, together with Limpinwood Nature Reserve, as the Lost World Wilderness. After five years of assessment and discussion, NPWS recommended to the Minister an area of only 8,583 ha. Lamington was excluded, because Queensland lacked complementary legislation, as was Sheepstation Creek, because, being heavily logged, it failed the naturalness criteria. However, the reduction was largely offset by the declaration in April 1996 of the Warrazambil Wilderness of about 7,000 ha in the vicinity of Paddys Mountain, in the southern portion of the Border Ranges National Park.

As a memorial to John Lever, the Colong Foundation nominated the 15,422 ha of what was once Roseberry State Forest as Levers Wilderness in June 1992. Gazettal was

delayed because of an aboriginal land claim, but was finally achieved in September 2002.

Since the Act was passed, rainforest wilderness areas have been proclaimed within Washpool, Werrikimbe, New England and Barrington Tops National Parks. Whilst some logging has occurred in several of these, the wilderness criteria was satisfied because the forests were considered capable of recovery. As only self-reliant recreation is permitted in proclaimed wilderness areas, the exclusion of horse riders and motorised vehicles provides greater protection for the rainforest.

Following the death of Milo Dunphy, the Carr Labor Government amended the Wilderness Act to create the Dunphy Wilderness Fund. The initial grant of \$5 million over five years was for the purpose of buying privately owned land within or adjacent to wilderness areas as identified by NPWS. The scheme has been an outstanding success, with numerous purchases. The Colong Foundation and the Foundation for National Parks now participate in the selection of suitable areas. Responding to pressure from TEC and the Colong Foundation prior to the 1999 State Election, Premier Carr extended the Fund for a further five years with another grant of \$5 million, effective from July 2001. Generous taxation benefits are available to owners of inholdings in proclaimed wilderness areas who make a gift of their property to NPWS.

Chapter 17 – Personalities

Neville and Jill Wran

Behind every successful man is a good woman pushing! A divorced Neville Wran, Premier of NSW, married a much younger Jill Hickson in August 1976 and, according to Neville, she relentlessly pushed the conservation cause. I knew her as a fellow employee of Qantas and after my retirement kept her informed of progress in the developing rainforest campaign, conscious of the possibility of favourable pillow talk.

Milo Dunphy also became a friend as a result of meeting her when the Colong Committee took them both on camping trips in the Blue Mountains. Twenty years later, when researching for *Myles and Milo*, Peter Meredith was so intrigued by this aspect of the rainforest campaign that he closely questioned Milo and me as well as Jill and Neville in an endeavour to determine the extent to which she influenced his actions in the campaign. Neville was not forthcoming when I once asked him the extent of Jill's involvement, but to Peter Meredith he certainly was, as the following example indicates:

The media coverage of the campaign by Glascott should be viewed in the light of the consistent work that Jill was doing behind the scenes in the private domain. To the extent that I was the Government's conservation policy, she was the driving force. She was as persistent as Milo was vocal.

Addressing the Labor Party Conference in May 1985, Neville said:

I know it was not everyone who thought it was a great thing to save the rainforests but I'll make this prediction: when we are all dead and buried and our children's children are reflecting upon what was the best thing the Labor Government did in the 20th century, they will come up with the answer that we saved the rainforests.

In the year following the decision, Neville Wran received an award for “the most caring politician of the year”, the first mention in the citation being the saving of the rainforests. In his response, he stressed the fact that his wife was an enthusiastic conservationist and was equally deserving of praise. On his retirement he mentioned saving the rainforests as one of his main political achievements.

Writing to him in 1986 I said:

On a recent visit to the Border Ranges National Park I was delighted to find that Levers Plateau and Gradys Creek, the two areas you personally intervened to protect partly as the result of my persistence, are in truly magnificent condition.

In conclusion I wrote:

Let us then give thanks for the green partnership of Neville and Jill Wran. Nothing even remotely similar has happened before and I doubt it will ever happen again. Bob Askin would not even talk to us – you came camping!

In reply he said:

Jill did have a lot to do with the framing of my attitude on the rainforest issue but the primary credit goes to the front line troops in the conservation movement, like yourself, who, despite what must have appeared overwhelming odds, finally won the day. Your personal contribution, of course, has been nothing short of outstanding and you certainly approached each of the issues with Robert Bruce-like determination.

Myles Dunphy

The reservation of the Blue Mountains and many other scenic areas in NSW was largely the result of the vision of Myles Joseph Dunphy. Born in Melbourne in 1891, Myles grew up in Kiama, finally settling in Oatley. Whilst teaching architecture at Sydney Technical College, he began exploring the Blue Mountains, filling in the blanks on the

Parish maps and, with some of his mates, founding the Mountain Trails Club (MTC) in 1914. As bushwalking became more popular he helped form the Sydney Bushwalkers in 1927 which, unlike the MTC, was also open to women.

It was his inspiration which led to the founding of the State's first conservation organisation – the National Parks and Primitive Areas Council – which promoted the concept of reservation of scenic bushland areas managed by Trustees who were appointed by the Minister for Lands. (I was a Trustee of Heathcote Primitive Area, later National Park.) Myles produced many very detailed maps and assiduously researched submissions for the Minister, for reservation of scenic bushland areas stretching from Myall Lakes to Kosciuszko. In 1934 he went public with his proposal for a Greater Blue Mountains National Park – 140km from the Hunter to the Nattai.

Unlike his son, Myles was very respectful of authority, his contacts with public servants being on a gentlemanly basis. In his retirement he wrote 72 volumes containing meticulous descriptions of all his trips (including the contents of each meal) and reservation proposals. These are now in the NSW Public Library, copies being held by the Colong Foundation. It has been said, probably with some truth, that Myles would have received his QBE for services to conservation many years earlier had it not been for the fact that the name Dunphy was anathema to Premier Askin and Lands Minister Lewis, because of Milo.

In 1982 Myles received an award from the International Union for the Conservation of Nature for long service with merit in advocacy of National Parks. Part of the citation was: "His voluntary efforts inspired others and gave impetus for the establishment of a

comprehensive system of National Parks in NSW". Only one such award is made every decade.

Surprising in one with such initiative, Myles was very cautious and conservative. However, the genteel approach failed with the Forestry Commission. In the 1920's he and his mates discovered the Couridjah Corridor – a virgin valley full of magnificent eucalypts running 15km from the southern highlands to the Nattai River. Rather naively he sought an assurance from the Forestry Commission that this Crown Land gem would be preserved for posterity. Alerted to this unknown resource, the Commission moved in a crew from Wagga Wagga and logged the valley!

Myles was also an innovator, designing a light-weight tent and the Dungalla swag. He died in 1985 at the age of 94.

Myles and Milo

In 1999, a 376 page biography titled *Myles and Milo*, written by Peter Meredith with the aid of a grant from the Commonwealth of Australia Council, was published by Allen and Unwin. As I was one of those who worked with Dunphy father and son and was inevitably influenced by their beliefs, I was interviewed at length by the author, and in consequence, referred to a number of times in the text. Although there were several favourable reviews, the book was criticised for its lengthy and gossipy treatment of Milo's notorious love-life, but I felt that it gave a faithful account of the father's life and of the son's fiercely-fought conservation battles.

After linking me with Jill Wran when we both worked in Qantas, Meredith wrote:

Having learnt of her interest in conservation, Jim maintained contact after his retirement. His aim clearly was to influence her to put pressure on her husband, though Jim claimed that all he was doing was bringing certain matters to her notice. Milo used similar tactics to gain access to the seat of power . . . Jill used every opportunity to promote the environment cause when she was alone with Wran and was, in his words, “a very forceful supporter of conservation”.

Peter Meredith also records in some detail a weekend camping trip for Neville and Jill deep in the southern Blue Mountains which was organised by the Colong and Colo Committees in March 1977. After Dick Smith flew them in his helicopter over what was to become Wollemi National Park, we all crossed Lake Burragorang on Water Board launches and proceeded by a four wheel drive convoy to Batsch Camp, near Colong Caves. At the camp fire that evening, Alex Colley presented Neville with an album of Henry Gold’s photographs of those areas still not reserved in the Greater Blue Mountains National Park which was envisaged by Myles Dunphy 40 years earlier. This massive exercise, which involved about 50 people, was Milo’s way of showing the Premier the stunning scenery on Sydney’s doorstep and bolstering his decision to protect it. On the way home next day we visited the bulldozed remains of a native forest cleared for a pine plantation, and the most spectacular part of the Blue Mountains, beloved of bushwalkers – Kanangra Walls.

I kept in contact with Jill over the years. When we met at the launch by Robyn Williams of *Myles and Milo*, I expressed my concern that she might be unhappy with the mention in the book of my attempt to influence Neville through pillow talk, but this proved unfounded. Instead, she expressed her delight that Milo and I had lobbied in this way and that it had now become public.

In writing about the Colong Caves dispute, Peter Meredith recounted my story of how, when in Geneva for Qantas in 1972, I phoned “person to person” Sir John Reiss, Chairman of Blue Circle Cement in London, claiming to be the Under Secretary for Mines in the NSW Government. I told him the Minister was greatly embarrassed by all the bad publicity associated with the company’s Colong lease, and had asked me whilst I was in Europe to suggest to him (Sir John) that their Australian subsidiary consider surrendering it as the easiest way out of a difficult problem for the Government. Two weeks later they did, thus ending the campaign.

Don Johnstone

The Director of NPWS was a typical senior public servant with no background in conservation. During his 15 year tenure he sought a quiet life, deeply resenting criticism by NPA. It was therefore with some diffidence that I sent Don a copy of *How the Rainforest was Saved*, seeking his comments on my criticism of his actions. He acknowledged that the Service had “gone to water” in the early stages of the campaign but felt unable to defend himself because of Minister/Director confidentiality. From this I concluded that he was frequently over-ruled by his Minister who was junior in Cabinet ranking to the Minister for Forests. This probably explains why their submission to the SPCC Inquiry was received too late for consideration and why the Service remained neutral in the Terania Creek Inquiry.

Bearing no grudge, he gave me belated credit for “tenacity, forthrightness and sheer persistence”. After his death in 1999, a lookout on North Brother Mountain behind Laurieton was named after him with a plaque outlining his career as Deputy Surveyor General in the Lands Department and Director of NPWS.

Dr Leonard Webb

We were indeed fortunate that the leading Australian rainforest ecologist was courageous enough to campaign with us. Len Webb was Senior Principal Research Scientist in CSIRO when, with other botanists, a new theory was developed in regard to the evolution of our rainforests. As a result of his writing two books and about a hundred papers, public awareness of the need to protect what little remained was elevated to acute concern. He was a foundation councillor of the ACF where he met Milo Dunphy, and both served on Justice Hope's Committee of Inquiry into the National Estate which recommended more research and conservation of Australian rainforests.

At the Terania Creek Inquiry, officers of the Forestry Commission tried hard to discredit him. The timber lobby branded him as "a preservationist, an academic misfit and an enemy of progress". Following the successful campaign, he received the Gold Medal of the Ecological Society of Australia and was the winner of the environment section of the BHP Pursuit of Excellence Award, the citation noting that "Dr Webb, regarded as the pioneer of rainforest ecology in Australia in modern times, has for long been seen as a consciousness-raiser, an articulate communicator and a lucid interpreter of the rainforest". He donated the \$40,000 award to the Wildlife Preservation Society of Queensland which he helped found in 1963.

Len Webb retired in 1980 and became Honorary Professor at Griffith University, Brisbane, which awarded him a doctorate in 1991. He was awarded an AO in the Order of Australia in 1987.

Keith Jordan

The Director of Associated Country Sawmillers (ACS) was a likeable character with whom I got on quite well. It was a different story however with Ian Nicholas, the Environment Officer, who was a public relations expert from outside the industry.

It was two years into the Border Ranges campaign before the industry magazine, *Prologue*, produced a supplement headed *Threat to Entire Industry*. Peter Den Exter's poor result in the 1978 State election was hailed as "irrefutable evidence that the preservationists have no real public support and that conservation is a non-event as a political issue".

When the Cabinet met at Murwillumbah in July 1979, Lin Gordon assured the demonstrating timber workers that "the logging of Terania Creek will proceed as planned as I have taken into account all the relevant factors". The relevant factor he missed was the attitude of the residents! When the dramatic fight began there a month later, Keith Jordan mistakenly commented in *Prologue*: "bringing in the Police was the first clear statement from the Government that it will not be dictated to by the preservationists". In fact it was, and they were not "paid professional demonstrators" either!

In September 1980 the ACS Brushwood Group drew up strategic guidelines for a counter offensive, rejecting the "exaggerated insupportable claims made by the almost hysterical extremists". At the same time the abrasive Ian Nicholas was replaced by the more reasonable and forest-literate Bill Hurditch.

Six months after the decisive Cabinet meeting, Keith Jordan, Executive Director of what was now the NSW Forest Products Association, wrote in *Prologue* that “the Wran Labor Government was prepared to sacrifice a renewable resource-based industry to satisfy the views of a small but vocal minority”. The attempt to stir up the industry over the loss of hardwood resources in Washpool and Hastings areas was somewhat undermined by Barrie Unsworth, head of the NSW Labor Council, when he conceded that there would be no unemployment as a result of the Cabinet decision.

A year later Keith Jordan wrote in an insightful editorial:

If there is one lesson which can be learned from the continuing radical conservation pressure on our forests, it is that no Government decision can be considered final. Once a compromise has been reached, pressure then begins to come up with another compromise which will remove further resource from the industry.

The Machin Family

During the Hastings campaign, I was asked by Paul Scobie to chair a public meeting at Wauchope, organised by the local NPA branch. The owner of Machin’s timber mill, who was one of the speakers, was very hostile and abusive to me as chairman. His employees, who attended in force, made their views very clear, and the meeting developed into a rowdy confrontation and had to be abandoned.

Following the retirement of Leon Punch, Machin’s daughter Wendy was elected to Parliament as the Member for Gloucester. In March 1986 she returned to the injustice of the rainforest decision, issuing a press release in which she accused Bob Carr of misleading the public by implying that the North Coast National Parks were rainforest

parks: “In fact they contain a small percentage of rainforest surrounded by hundreds of hectares of eucalypt forest”. Speaking in the Address in Reply debate, she attacked Joseph Glascott as a man moved sideways in his journalistic career for falling asleep on the job, and Milo Dunphy for being convinced that the possession of a spirit stove and a sleeping bag made him a qualified environmentalist!

When Wal Murray, leader of the National Party, said “there is no way we would agree to lock up essential timber resources in National Parks”, Bob Carr thoughtfully wrote to each of the conservation groups, quoting his remarks “in order to explode the myth that the rainforests would be secure under a Coalition Government”.

Chapter 18 – Literature

The 45 page booklet *How the Rainforest was Saved – the Inside Story of the Ten Year Battle*, published by the Colong Committee in 1983, has been quoted in at least five books:

- *Earth First* by Jeni Kendell and Eddie Buivids, ABC, 1987.
- *Fighting over the Forests* by Ian Watson, Allen and Unwin, 1990.
- *Places Worth Keeping* by Tim Bonyhady, Allen and Unwin, 1993.
- *A History of the Australian Environment Movement* by Drew Hutton and Libby Connors, Cambridge, 1999.
- *Myles and Milo* by Peter Meredith, Allen and Unwin, 1999.

Earth First, subtitled *The Struggle to Save Australia's Rainforest*, contained a foreword by Len Webb and dramatic accounts by activists of the Terania Creek blockade and the Nightcap confrontation.

Ian Watson obtained a grant to write *Fighting over the Forests*, in which he castigated conservationists for their lack of concern over job losses in the timber industry as a result of the rainforest campaign and their failure to provide alternative employment. While perceptively claiming that the proposals suggested were “tactical not practical”, he failed to mention the successful search for alternative supplies. All but one of the Grafton mills were ultimately kept in production by the location of supplies by an outside consultant not under the control of the Forestry Commission, and supplies for Munro and Lever were found in nearby Urbenville despite denials of their existence. As a result, the workers benefited.

Watson interviewed 50 residents of the North Coast, half being timber workers and half conservationists, some of whose names he obtained from Colong's book, but to whom he gave fictitious identities. His main theme was the unfairness of the poorly educated timber workers having to defend themselves against the attacks of the tertiary educated middle class, but this was a false construct. We were fighting an entrenched duplicitous bureaucracy and sawmillers whose only concern was profit.

Like many conservationists, I believed that as the supply problem had been created by the Government's policy of unsustainable logging, it was their problem, not ours. All we hoped to achieve was the protection of some rainforest in National Parks before it was finished, and if that meant that some mills had to close earlier than would otherwise be the case, then so be it.

In *Places Worth Keeping*, subtitled *Conservationists, politics and law*, Tim Bonyhady reviewed in detail the two cases heard by Justice Cripps in the Land and Environment Court:

- Peter Prineas v Forestry Commission – Hastings – 1981.
- Dianne Kivi v Forestry Commission – Nightcap – 1982.

Because the preservation of rainforest was Milo Dunphy's most important campaign, Peter Meredith devoted a whole chapter to the issue, using extensive quotations from *How the Rainforest was Saved*.

A History of the Environment Movement devoted eight pages to the NSW campaign, quoting data from the Colong publication. The authors concluded that the blockade radically changed the nature of campaigning for nature conservation in that

direct action in a forest dispute was novel and the Terania Creek protest showed the effectiveness of theatre in getting the conservation message to the public. The protesters staged set-piece actions, using non-violent methods, to convey their moral objection to logging. As well they had the doleful Benny Zable, artist and Nimbin resident, wearing a gas mask and a black costume on which was printed *WORK, CONSUME, BE SILENT, DIE – I rely on your apathy, it's costing the earth.*

Whilst only five books have dealt with the rainforest campaign, many have been published about the rainforest itself. One such was the beautifully illustrated *Rainforests of Australia* by Vincent Serventy and Robert Raymond, published by Hamlyn in 1980. Penelope Figgis used the same title for her book published by Weldon in 1985. Three years later Weldon also published a magnificent two volume *Australia's Wilderness Heritage*, written by Penny Figgis and Geoff Mosely and illustrated by Leo Meier. The chapter on NSW rainforests quotes Neville Wran as saying “the world’s eyes are on Australia as the only developed nation with rainforest within its borders. It must set an example in the conservation and preservation of this precious resource”.

Shortly after the campaign began in Sydney, NPWS published an illustrated magazine entitled simply *Rain Forest*, with articles by Len Webb, Alex Floyd, Peter Hitchcock, Alan Fox and Alan Strom. In keeping with the neutral attitude of NPWS in 1976, none of the articles were controversial, the strongest statement being editor Wendy Goldstein’s conclusion that “the preservation of viable samples is the most critical current concern”. The Border Ranges controversy was not mentioned.

The Australian Heritage Commission published *The Rainforest Legacy* which constituted the proceedings of a workshop held at Griffith University in 1983. The first of the three volumes edited by Garry Werren and Peter Kershaw covered rainforest conservation and status, A.G. Floyd dealing with northern NSW and Len Webb with northern Queensland. The remaining two volumes covered flora and fauna, history, values and the politics involved in the issue.

The Swiss magazine *Environmental Conservation* in its Spring 1991 edition carried a 10 page article by John Whitehouse entitled *East Australian Rainforests: A Case-Study in Resource Harvesting and Conservation*, which covered the history of rainforest logging, exposed the fallacies of the Forestry Commission's management, touched lightly on the Border Ranges and Terania campaigns, and praised the Wran Labor Government for its enlightened policies on rainforest conservation. John modestly did not mention that it was his idea to obtain outside advice on the timber resources available to the mills drawing their supplies from Washpool, thus undermining the credibility of the Forestry Commission. The article concludes: "The protection of rainforest from logging in the future seems secure given the widespread community support for rainforest conservation".

The Nightcap Action Group (NAG) produced a tape recording entitled *Nightcap Rainforest – Thinking Globally, Acting Locally*, with talks by actor Jack Thompson, Richard St Barbe Baker and Paul Erlich, and original Nimbin music. The tape sold well as it also contained dramatic material on the pre-dawn Mt Nardi assault on 29 September 1982 by police and loggers. Supporters Rod Ritchie and Dailan Pugh later

published an illustrated booklet entitled *Rainforests of the Far North Coast of NSW*, which contained a wealth of factual data.

In 1995 John Dargavel, a Fellow of the Centre for Resource and Environmental Studies at Canberra's ANU, published *Fashioning Australia's Forests*, which provides an excellent historical account of industrial development in forestry over the last 200 years. He explains how various resource regimes evolved and the challenges to them since the 1970's: restructuring, woodchip exports, unsustainable harvesting and the rise of the environment movement. The NSW rainforest campaign is summarised in two pages, the Colong Committee being given due credit.

The NPWS published a superbly illustrated 45 page booklet entitled *Border Ranges National Park* in 1997. Writer Jamie Brown devoted considerable space to early pressure for the park from Queensland, but dismissed the 10 year NSW campaign in one sentence. Although the Colong Committee is named, he claimed that dedication was due to "another change in the political wind". Perhaps it was deemed unwise to mention the ambivalent attitude of the Labor Government to rainforest preservation over such a long period now it was back in power, but a little more honesty would have been appreciated in this official NPWS publication.

The People's Forest

Lest readers consider that I have been unduly critical of the Forestry Commission, support for my attitude may be found in a collection of interviews and essays published by Greg Borschmann in 1999, titled *The People's Forest – a living history of the Australian bush*.

In an essay entitled *Visionaries to Villains – the Rise and Fall of the Foresters*, Kevin Frawley, a Victorian forest historian, makes the charge that foresters “legitimised and even institutionalised the over cutting of the Australian forests” and that they “were seen as villains in recent times because of community expectations that they truly be regulators of the timber industry when in fact they have more often been its facilitators”.

After detailing the history of Australian forestry, the author concludes that

the profession still finds it difficult to accept that there is widespread community disquiet over the large scale industrial forestry practices and management regimes which cause such dramatic changes in our landscape. This disquiet is not the preserve – and never has been – of a few fringe radicals, ratbags or the misinformed.

Frawley’s comment on the NSW rainforest dispute is perceptive:

by the late 1970’s rainforest was taking a prominent place in changing perceptions of the Australian natural environment, . . . its beauty saw it gain symbolic value. More and more Australians began to question why it should be destroyed, especially as log quotas were far more than could be maintained in the long term. In public inquiries, such as that for Terania Creek, the forest services appeared blinkered and dogmatic while their opponents were increasingly proficient at using science to argue their case. The environment movement was adept at gaining media attention, making full play of the drama of the situation and the photogenic attributes of the rainforest. It was a hard one for the foresters to win. The pressure to preserve rainforests for ecological, aesthetic and scientific values resulted in World Heritage Listing.

In another essay, Roland Breckwoldt, a grazier living in the original home of Arthur Alcock, in Tantawanglo (“Hilltop”, built by my late wife’s grandfather), told how he fought for 15 years against the logging of the catchment adjacent to his property. What upset him even more than the personal vindictiveness which he encountered was the blatant dishonesty of the Commission officers in regard to wildlife. In 1990 the District

Forester stated on ABC Radio that there were no koalas in Devils Creek; “we’ve had a wildlife consultant do a survey”. A suspicious Breckwoldt got in touch with the consultant who explained that as a result of a sprained ankle, he did not go near Devils Creek. After Breckwoldt’s wife Anne found a colony there, the Forestry Commission was forced to carry out the koala research which they should have done years before. There was no apology.

Other contributors working in the forest industry back to the 1930’s stated that they were well aware of the unsustainability of what was happening, but excused their inability to take any corrective action because of the political pressure exerted by the sawmillers. In 2005 a book was published about the CERRA World Heritage rainforests which included a chapter dealing with the history of their acquisition.

Postscript

The four crucial turning points in the course of the campaign, without which success would not have been achieved, were:

- The intervention in the campaign for a Border Ranges National Park by the Sydney based Colong Committee in 1975.
- The dramatic confrontation between protesters and the Terania Creek loggers in 1979.
- The appointment of Fortech, a Canberra based consultant, which broke the Grafton jobs impasse in 1981.
- The decision of Premier Neville Wran to challenge the views of the right wing faction of his Cabinet in 1982.

Although the 10 year campaign co-incided with a worldwide concern for the environment, in NSW it was vitally necessary to raise public awareness of the plight of the remaining rainforest. More public sympathy was achieved in two weeks during the Terania Creek confrontation than in years of conventional campaigning. For millions of people throughout Australia, the physical battle between the greenies and the police, played out nightly on television, dramatised the destruction of nature at its grandest and was the catalyst for a change in public attitudes.

However helpful this theatre was to our cause, it was not enough. The Labor Government had to be convinced that the loss of jobs would not result in a loss of Labor-held seats and the defeat of the Party at the next election. Whilst the hearts of those in the conservation movement were generally on the left, in Cabinet and Caucus the right had the numbers. The impasse was broken by a sympathetic Premier strongly

supported by his wife. Despite the cries of doom and despair from the timber lobby, the decision did not split the community because, after a 10 year campaign, most believed that nature had rights beyond its value to humans.

The conservation movement was not alone in its criticism of the Forestry Commission. The Public Accounts Committee of the NSW Parliament, to which I gave evidence in 1990, concluded:

This Report details evidence of an organization locked in a time warp; the most public evidence of this 1950's mentality is the bitter controversy and conflict which has existed between conservation groups and the Commission which has largely focussed on serving the specialist interests of the timber industry . . .

The Report contained 78 recommendations for reform. One day during the proceedings when I was present, the conservation movement received an unintended compliment from Assistant Forestry Commissioner Fisher when he conceded that “so far they have been extremely successful”!

Peter Meredith neatly summarised the situation when he wrote in *Myles and Milo*:

It was an issue in which conservationists were pitted against the workers of a long established rural industry that governed the economic fortunes of whole districts. Those workers, employees of the timber milling companies, were linked to the Forestry Commission in a relationship which Neville Wran described as incestuous.

Further vindication of the stand taken by the voluntary conservation movement against the Forestry Commission may be found in the report of the Resource Assessment Commission which was established by the Commonwealth Government to investigate the timber industry in 1990. Mr Justice Stewart concluded that the industry was in decline because it cut down hardwood forests faster than they could grow: “this

prolonged overcutting and not the inclusion of timber producing areas in national parks appears to be the main cause of the dwindling supply of hardwood sawlogs". Despite the loss of 118,000 ha, their estate increased by 236,000 ha between 1981 and 1990.

The Commission officially advised the RAC that none of the remaining rainforest under their control would be logged, thus fulfilling, much earlier than intended, their phasing out policy. The decline was dramatic:

	Crown cu.m.	Private Property cu.m.	Total cu.m.
1975	110,336	11,343	121,679
1980	67,645	4,132	71,777
1986	4,987	1,787	6,774
1987	3,619	2,481	6,100
1988	1,875	2,539	4,414
1989	1,718	2,351	4,069
1990	2,060	757	2,817

Following the signing of the North East Regional Forest Agreement in 1999, many more State Forests in the area became National Parks or Nature Reserves, thus effectively ending the confrontation which had continued for almost 30 years.

The RAC collected statistics from NPWS and Forestry which showed the tenure of the remaining NSW rainforest:

	Hectares	%
Forestry Commission – General	139,000	47
Forestry Commission – Flora Reserves	10,000	4

Crown Timbered Lands	15,000	5
NPWS	100,000	33
Private Property	33,000	11
	297,000	100

The most aesthetically pleasing rainforest is, of course, sub-tropical and temperate.

Little of the dry rainforest is conserved; if it and the areas where the structure has been removed are excluded, then the reserved element rises to about half the sub-tropical and three quarters of the temperate. However, in the light of the undertaking given by the Forestry Commission to cease all rainforest logging, only the 11% privately owned is now at risk.

The rainforest campaign was dominated by inquiries, which are a political device used to avoid having to make difficult decisions. It is ironic that in the case of Levers Plateau the Coalition Government held an inquiry, the result of which was pre-determined against us, while Labor, when it gained Government, did exactly the same. In retrospect, it is clear that the Border Ranges were reserved as a direct result of four years of political procrastination and duplicity!

Many other conservation battles took place during the long rainforest campaign, the most important of which was Wollemi from 1976 to 1979. The Colo Committee fought for and achieved Wollemi National Park of 493,000 ha which had been originally proposed by Myles Dunphy 40 years earlier. When what Premier Wran called his “Christmas present to the State” was about to be gazetted, it was found that it would be the 49th. In order to make it the 50th, a small parcel of vacant Crown Land east of

Wiangarie State Forest was instead gazetted as the Border Ranges National Park. The complete park, 40 times greater, was gazetted four years later.

The Heritage Council of NSW in their 1985 Annual Report stated

the setting aside of the remaining rainforests as National Parks is a significant act of reparation for past environmental mistakes. The forests are some of the last tangible reminders of the landscape as it was before 1788 – their monumental trees pre-date the castles and cathedrals of medieval Europe . . .

Plans of Management

When in 1989 NPWS called for public submissions prior to the preparation of the Caldera Parks and Reserves Plan of Management, Alex Colley and I again visited the area. Leaving my car with our old friend and supporter Jim Flower at Findon Creek, we walked up the Queensland Ridge to the Border Fence (becoming slightly bewildered when the ridge flattened out near the top), camped overnight near Gordon Philps' macadamia plantation, and walked back down the Levers Plateau track. In the 10 years since Peter Maslen and I had walked down the same track, there were already signs that it would only be a matter of time before it became impassable. NPWS accepted our submission that the track be formally closed in order to stop four wheel drive enthusiasts and thus facilitate nomination of Levers Plateau as a wilderness.

In 2001 NPWS issued the second Draft Plan of Management, which identified the wilderness area and did not map the now overgrown track, for public comment. The Colong Foundation suggested five car camping areas and approved only limited horse riding in the Border Ranges National Park.

Terania Revisited

In August 1999 the 20 year anniversary of the saving of Terania Creek was celebrated with a reunion of the original protesters at The Channon, and a concert in Lismore. Placing themselves in direct confrontation with the powers of the State was clearly a defining moment in the lives of the protesters. Jeni Kendell, who produced the 47 minute documentary film *Give Trees a Chance*, said that although at the time those involved believed they were only protecting their own backyard, nevertheless it later became apparent that their dramatic stand helped change the attitude of the general public and the politicians to rainforest destruction.

John Seed said it was the first direct action in defence of rainforest in Australia, if not the world. He recalled that although Colong Committee members such as Milo Dunphy and Alex Colley had been fighting for rainforest for years, they were shocked when alternate society people appeared out of nowhere to physically stand against the Forestry Commission and the sawmillers.

ABC Radio prepared an *Earthbeat* reunion segment which included Dr Len Webb's original contribution to the *Science Show*, exposing the then current fallacy that our rainforest was an Asian immigrant, and explaining how it and sclerophyll originally existed together in Australia. Because our rainforest contained emergent brush box, the Forestry Commission conveniently classed Terania Creek as "moist hardwood", refusing to accept that to most people the closed canopy and specific tree species clearly designated it as rainforest.

The summer of 2002 was the 20th anniversary of the memorable Franklin Dam campaign in Tasmania, which one reporter claimed to be a “defining moment” in Australia’s defence of the environment in that, for the first time, activists defied authority and won. However the writer overlooked the fact that Terania, a few months earlier, was an even greater “defining moment” in that, unlike the Franklin, the opposition was universal. Our opponents on the North Coast developed a three-fold mantra: unemployment will occur, multiple use is better, leave it to the experts not the ignorant amateurs. In retrospect, senior staff in the Forestry Commission must have realised that they had made a grievous tactical error in deciding to take a stand in the environs of Nimbin where unconventional young “alternatives” were prepared to confront authority physically.

Three years after the campaign was won, Bob Carr stopped the logging of rosewood which was to be used in panelling in the new Commonwealth Parliament House. Standard Sawmilling were incensed and threatened legal action, but this did not eventuate, and the 140 ha of privately owned rainforest was later purchased by NPWS and added to Limpinwood Nature Reserve, which bounded it on three sides.

Federal Assistance

Barry Cohen, Federal Minister for the Environment in the Hawke Labor Government, announced a \$22 million National Rainforest Conservation Program in conjunction with the States in June 1986. Using the \$2.6 million available in the first year, NPWS began an excellent program involving the acquisition of small but important parcels of privately owned rainforest, and the upgrading of visitor facilities and walking tracks in the Border Ranges, Washpool, Nightcap and Barrington Tops National Parks. Major

interpretive centres were built at Minnamurra Falls in the Illawarra, Sea Acres Nature Reserve at Port Macquarie and in Dorrigo National Park. Despite these good works, Barry Cohen was a sad disappointment as a Labor Minister, because he refused to intervene in the Daintree rainforest dispute in Queensland due to his fear of the Premier Joh Bjelke-Petersen. His successor, Graham Richardson, did intervene and was successful in having the North Queensland rainforest inscribed on the World Heritage Register. During a violent demonstration at Ravenshoe he was physically assaulted by protesting timber workers, an action hardly likely to gain support for their cause!

Changing Attitudes

My grandfather, also James Somerville (1836-1929), was Town Clerk of Kiama and Jamberoo for 42 years in the latter half of the 19th century when the immigrant dairy farmers from Ireland were clearing the rainforest known as the Illawarra Scrub. Any suggestion of saving some for future generations to enjoy would have been considered bizarre, but fortunately one small patch survived by accident. Minnamurra Falls Reserve is now one of the district's leading tourist attractions, with large amounts being spent by NPWS on broadwalks and a Visitors' Centre. (In 1935 I was one of a small party of bushwalkers who, using ropes, made probably the first and only perilous descent of the Minnamurra River from the Barren Grounds to the second fall in the National Park – a drop of almost 2,000 feet in less than a mile!)

Not only have the wounds inflicted by the Forestry Commission on the Border Ranges National Park largely healed, but the strident opposition of the local residents has vanished. As one enters Kyogle, the timber town which stood to lose most from the end of logging in the proposed National Park, there is now a large sign – *Welcome to*

Kyogle, Gateway to the Rainforest. The proliferation of World Heritage Rainforest signs throughout the district is indicative of the now recognised value of rainforest in tourism promotion. This reversal is indeed ironic. In a local street demonstration during the campaign, the effigy of a conservationist hanging from a gibbet carried on the back of a truck was loudly cheered! Several mills are operating in the area using nearby plantation hoop pine – the very timber which the Forestry Commission strenuously denied being available.

Through contact with John Seed of the Rainforest Information Centre in Lismore, I became involved in the work of the International Tropical Timber Organization (ITTO) which consisted of 41 member states of the United Nations. Established under the aegis of the UN Convention on Trade and Development (UNCTAD) in 1983 to control the logging of rainforest, ITTO met at Yokohama in November 1987. I funded the attendance of Nodi Mather of RIC, who was one of the 13 NGOs attending from around the world. Indonesia and Malaysia were the vandal countries logging destructively in our area, but I became deeply suspicious of the role of Japan, the state with the largest consumption. In the event, the high hopes of environmentalists for sustainable logging were not achieved. I became disenchanted with the lack of positive action and refused any further funding. Instead, through the World Wide Fund for Nature, I gave financial and moral support to a local conservationist in the Solomon Islands who was fighting a Malaysian timber company intent on logging in the vicinity of Malolo Lagoon, which had been proposed for World Heritage Listing. Regrettably this initiative also ended in failure.

Epilogue

For the cause that lacks assistance,
For the wrong that needs resistance,
For the future in the distance
And the good that I can do.

George Banks

When the members of the Colong Committee, having achieved their original objective, were considering their future in 1975, three areas needing protection were discussed: Border Ranges, Kakadu and the Greater Blue Mountains. The Border Ranges was chosen as the next project, but by the end of the century all three areas were safe in famous National Parks listed by UNESCO as World Heritage sites. What excellent judgement!

It was indeed fortunate for me that my 30 year retirement coincided with the growth of the conservation (now environment) movement, which, with growing popular and official support, increased the percentage of the State in National Parks and Nature Reserves from 1% to 7%, and the area in proclaimed wilderness from nil to 3%. Had the voluntary conservation movement not arisen in this period, the Colong Foundation for Wilderness Ltd (as it now is) would not have been formed, the above percentages would be much lower, and there would be no rainforest National Park on the NSW/Queensland border recognised as having world significance.

Abbreviations

ABC	Australian Broadcasting Commission
ACF	Australian Conservation Foundation
ACS	Associated Country Sawmillers
BRPS	Border Ranges Preservation Society
DEP	Department of Environment and Planning
EIS	Environmental Impact Statement
EPA Act	Environmental Planning and Assessment Act
FC	Forestry Commission (of NSW)
ITTO	International Tropical Timber Organization
NCC	Nature Conservation Council (of NSW)
NPA	National Parks Association
NPWS	National Parks and Wildlife Service (of NSW)
SMH/Herald	Sydney Morning Herald
SPCC	State Pollution Control Commission – later EPA
TEC	Total Environment Centre
TNFAG	Terania Nature Forest Action Group
TWS	The Wilderness Society
UNE	University of New England
WWF	World Wide Fund for Nature