

**Submission  
No 90**

**INQUIRY INTO PERFORMANCE OF THE NSW  
ENVIRONMENT PROTECTION AUTHORITY**

**Name:** Mr Anthony Whan

**Date received:** 28/08/2014

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### **Inquiry into the performance of the NSW Environment Protection Authority**

1. That General Purpose Standing Committee No 5 inquire and report on the performance of the NSW Environment Protection Authority (EPA), and in particular:

(a) Measure the EPA's recent performance against its objectives pursuant to section 6 of the Protection of the Environment Administration Act 1991

(b) That the following cases be considered:

- (i) land contamination issues at Botany and Hillsdale
- (ii) EPA investigations and public statements about the effects of coal dust pollution in the Hunter
- (iii) EPA investigation into ground water contamination in the Pilliga by Santos' coal seam gas exploration
- (iv) the prosecution of Du Pont (Australia) Ltd for the alleged offence of land pollution in the western Sydney suburb of Girraween
- (v) the regulation of cruise passenger ships at the White Bay Cruise Terminal at Balmain
- (vi) the regulation of forestry practices in Royal Camp State Forest

(c) Any other related matters.

2. That the committee report by 14 February 2015.

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Dear Committee,

My comments are focussed on points 1.(b)(vi) and 1.(c) of the Terms of Reference of this inquiry. I have been an active participant and avid observer of native forestry related matters since the inception of the Regional Forest Agreements, and have had many interactions with the EPA in regards native forestry in the Southern region.

#### **The regulation of forestry practices in Royal Camp State Forest**

I have read the North East Forest Alliance reports concerning Royal Camp State Forest and have no doubt about their veracity. The issue of breaches of the Integrated Forestry Operations Approvals has also been ongoing in the Southern region. The common theme is the systemic non-compliance of the Forestry Corporation NSW and their logging contractors. It is this systemic non-compliance that the EPA has been ineffective in eradicating.

#### **Any other related matters**

I contend that the EPA has been ineffective due to the belligerence and bully-boy attitude of FCNSW. This conflict is an entrenched aspect of the relationship between the two bureaucracies and has not improved since Mr Buffier became CEO of the EPA, he who was previously Commissioner for Forests. The only way to solve this issue is to remove the FCNSW from native forest logging.

#### **RECOMMENDATIONS**

1. That EPA staff be asked about their experiences of this conflict for this inquiry.
2. That this inquiry recommend that to improve the performance of the EPA the removal of FCNSW powers to operate in native forests be removed.
3. That a further inquiry be held into the conflict between FCNSW and EPA in relation to native forestry.

Thank you for the opportunity to comment on this important matter.

Mr Anthony Whan