

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

Organisation: Friends of the Koala

Date received: 28/08/2014

The Director
General Purpose Standing Committee No.5
Parliament House Macquarie Street
SYDNEY NSW 2000

email: gpscno5@parliament.nsw.gov.au

Dear Sir/Madam

Re: Submission to the Inquiry into the Performance of the NSW Environment Protection Authority

Friends of the Koala Inc. (FOK) is the peak koala conservation organisation in the Northern Rivers region of NSW. Established in 1986, it is a voluntary, grass-roots organisation which aspires to make a key contribution to Australia's biodiversity by ensuring the protection and conservation of the iconic koala and the preservation and extension of koala habitat. Our core business encompasses habitat protection and regeneration; licensed koala rescue, rehabilitation and release; community education; advocacy and research assistance. We maintain a regional Koala Care and Education Centre in East Lismore.

We are pleased that the Upper House has agreed to this examination of the Authority's performance and in particular its handling of the audit conducted by the North East Forest Alliance (NEFA) of forestry practices in Royal Camp State Forest near Casino which pointed out amongst other things its poor regulatory performance in relation to logging operations being conducted by the Forestry Corporation in Koala High Use Areas.

The full circumstances of NEFA's Royal Camp audit in August 2012, NEFA's subsequent call for an immediate stop, the EPA's investigation, NEFA's further inspection in July 2013 and laying of complaints and the EPA's ineffectual response are detailed in NEFA's submission to this Inquiry.

Particularly damning were the insignificant fines issued by the EPA on the Forestry Corporation (three fines of \$300) for logging in a Koala High Use Area and the Forestry Corporation's public derisive response and the EPA's failure to note in their audit report NEFA's evidence that Forestry Corporation logged another two Koala High Use Area while the EPA audit was being conducted.

While Friends of the Koala's primary concern is the failure of the EPA to have mitigated impacts on koala survival in the Royal Camp State Forest, we endorse NEFA's wishes for the outcomes of this Inquiry to ensure:

Koala Rescue and Information
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Volunteers conserving koalas and their habitat on the Northern Rivers.

Friends of the Koala services the local government areas of Ballina, Byron, Kyogle, Lismore, Richmond Valley & Tweed.

*The Nature Conservation Council of NSW's 2012 Outstanding Member Group
Lismore City Council's 2013 Sustainable Environment Award Winner*

1. A transparent and repeatable process and criteria for identifying and protecting core and potential Koala habitat across all tenures;
2. An independent process for assessing forests well in advance of logging to identify Koala habitat, with an aim to complete the delineation of Koala habitat on public lands within 3 years;
3. A requirement that habitat trees required to be retained for fauna habitat have their GPS localities recorded when marking to better facilitate implementation, auditing and ongoing protection;
4. The mapping of areas affected by, and vulnerable to, Bell Miner Associated Dieback in harvest plans and the exclusion of logging from affected and vulnerable stands;
5. Penalties that reflect the seriousness of the offence and that are progressively increased for repeat offences;
6. Removal of a cap on the issuing of Penalty Notices, and their issuing for all significant offences and repeat offences, according to explicit criteria;
7. Requirements for rehabilitation of illegally logged sites and the provision of compensatory habitat;
8. A requirement for the EPA to prepare professional and comprehensive reports documenting their investigations and justifying their conclusions from significant investigations, rather than just sending letters to complainants;
9. A requirement for EPA auditors to have appropriate training and environmental expertise in what they investigate;
10. A requirement that all investigation reports be completed within 3 months and made publicly available on the web;
11. An independent mechanism to investigate complaints against the EPA.

We thank you for the opportunity to make these comments.

Yours sincerely

Lorraine Vass
President
28 August 2014

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