

In response to the Draft Mid North Coast Regional Plan 2016, I would like to raise the following objections and concerns.

1. Constraints on Forested Lands are Prohibitive. Where is the Balance?

- ✧ First it is to be noted that Fig 1 is of very poor quality and individual landholders have no idea whether their land comes under “high environmental value” lands. Regardless, I have to most strongly object to the approach that all levels of Governments have taken and continue to take by effectively locking up forested land that belongs to private landholders.
- ✧ It is NOT okay for Government bodies to continue to persecute those private landowners whose properties almost exclusively comprise natural bushland or forest, which will be referred to as ‘**Forest Owners**’ for the remainder of this submission . The comments I make herein do not exclude farmers, although they are better represented in the planning process if not just by numbers. However, it is the Forest Owner who has not had a voice ever since forested lands were re-zoned to Environmental Protection in new Council LEP’s, and since the Native Vegetation Act was introduced.
- ✧ It seems that all layers of Government expect Forest Owners to carry the environmental burden of all that has gone before and all that will soon pass. Most Forest Owners have forests because that is where they want to live, and they value the forest and its importance in the big scheme of life on this planet. They love their forest and don’t want to clear their land which is why the forest is still there, BUT the regulations mean that they are pretty much blocked from doing anything. Many such landowners have had their lives halted in their tracks, their dreams and plans crushed and opportunities stolen, while they live a life of paralysis, totally depressed about what has been forced upon them.

And why is that? Simple, because of concerns about past and future loss of Biodiversity, and to add value to the tourism sector. And why is that? Simple, because Councils and Governments have allowed developers to clear land so they can build houses and the infrastructure required to service those dwellings and in so doing earn a living doing it, because people want to live in those houses so they have a place to call home while they earn a living in the way they choose, because some have cleared the land for agriculture and are therefore able to utilise their land to make a living in the way they choose, and because those in the tourism sector want to earn more money from more visitors to the area. So why is it now up to Forest Owners to save the day and to forgo their right to utilise their own land to make a living from it as they choose? Simple, there IS NO GOOD ANSWER. **Governments are simply being short-sighted and are looking for the easiest targets to carry the burden of the whole community.**

- ✧ To date, Forest Owners have received no reward for maintaining their forest that has brought them to this point but instead have had more constraints in the form of rules and

regulations placed upon them and more responsibility to boot. They have seen dramatic reductions in their property values since introduction of those rules and regulations compared to use-able farmland. They have been prevented from earning a living from their land unless they want to sign away their forest under contract and into perpetuity. How is any of that fair? They have also been met with increasingly limited options and increasingly greater costs JUST to be able to build a home in which to live IF they can get their DA through, or to utilise their own land in any way that they might be permitted to do. I am talking about development controls, dual consents requiring a DA just to thin out some forest, Biodiversity assessments, offsets/re-plantings, bush fire assessments, and other obstacles that are encountered. And who covers the cost of this? The Forest Owner, of course. But why aren't those who have caused the problem covering the costs?? Good question. Why does the Forest Owner continue to pay for the sins of the others?? There is no good answer because it simply isn't fair.

- ✧ Governments really need to **get serious about getting creative** instead of going for the easy scapegoat. Where are the education programs for urban dwellers who own dogs and cats that kill wildlife? Where are the tree planting programs in urban yards to provide refuge to native fauna? Where are the pooled funds collected from those that have caused the problem and why doesn't that pay for the Biodiversity assessments and Bushfire reports and the re-plantings that must be made even though the whole property of Forest Owners is almost entirely forested anyway? And what responsibility should the Council play in finding a real way to help Forest Owners get these basic needs through to approval rather than rejecting applications because they can't tick their check-boxes and where is Council's responsibility to not charge Forest Owners a fortune for the privilege? For heavens sake, find a way!! Why isn't the State Government assisting Forest Owners to utilise and enjoy their own land? If we as a community value the forest as we say we do then we have to value the Forest Owners. Why doesn't Government do what is needed to assist the Forest Owner where it counts. It's not just about the forest. Help the Forest Owner have a lifestyle they can enjoy, one that makes them want to continue being guardians of the forests. Give them some incentives and rewards, and give them the freedom to utilise their land **without conditional contracts**. If Governments make it too hard as they are doing now, what Forest Owner will want to take on the role?? Decreased property prices have already reflected this clearly. Don't make it worse.
- ✧ Government should be **reducing minimum lot sizes** of forested lands yet this Draft Regional Plan advocates the opposite. Government needs to make environmental protection workable by sharing the load. A Forest Owner with 180 acres of forest cannot currently subdivide, yet it may be way too much work, time, expense and responsibility for one landowner, yet there is no real option available to do anything about it. Decreasing the current minimum lot size is a big step in the right direction to help, with dwelling entitlements to go with it. Let more people share the load and in the process let the Forest Owner recoup at least some of the losses incurred by these life-changing regulations that have been imposed on them. **When did it become okay to penalise the very people who have grown the trees that we say we value, and who are carrying the burden of the**

community??? Whatever happened to “If you do the crime, you do the time”? Our justice system is not set up to penalise the victim and reward the offender. To do that would be unfair, yet somehow all layers of Government are doing exactly that to Forest Owners, who seem to be the easy targets here. It is simply NOT OKAY.

- ✧ Even further, **until development control plans are relaxed enough** to allow Forest Owners to utilise their property in any meaningful way, then **no private land should carry a zoning of Environmental Protection and the constraints that come with it.**
- ✧ If State Forests can clear-fell hectares of trees but the Forest Owner can't fell a tree without the right approval, something is very wrong. It's nothing but a generational transfer of wealth, with no prizes for guessing who is the winner and who is the loser here.
- ✧ Governments need to make it more attractive for Forest Owners, not make it more restrictive or more expensive or more infuriating as has happened thus far. To date, Government responses have been reactive rather than proactive. Please consider first and foremost the burden that is being placed on the Forest Owner or there will be no Forest Owners left. Happy Forest Owners make happy forests. Again I stress, it all comes back to the Forest Owner paying for the sins of the past, and they are paying right into the future ... their future! Get creative and do something sensible to help!!
- ✧ There is no place for mining in areas where biodiversity loss is a concern. One cannot justify clearing any forest for that end. Oh that's right, the Government's answer is to put more pressure on Forested Owners to preserve biodiversity.

2. **Rural Conflicts** - Intensive Agriculture

- ✧ There is a growing problem with rural conflict especially with the intensive agriculture that has emerged on the Mid North Coast, and it is growing in a very disturbing way. We are at the beginning of a repeat of the Coffs Harbour banana problem that plagued banana lands some years ago. That legacy is still with us today yet it is being repeated with heavy use of pesticides in crops such as blueberries and hot house produce.

Those pesticides were created to kill - that is the whole point of why they exist. They are toxic and are known to impact human health. Some are banned from parts of Europe and some countries only allow 1 application in a 4 year time-frame. Australia is not keeping up with the rest of the world. Here in Australia these such pesticides are used regularly and while there are supposedly guidelines to be followed in their application, people in the area know that this is not happening. The Council does nothing about it. The EPA does nothing about it. Prove it they say. No-one asks the people who apply the pesticides to prove that it is safe to spread their plumes over neighbour's roofs and water tank catchments which provide their drinking water, or into the air they breathe, or onto their skin and the clothes they wear. Of course this simply can't be done because the pesticides

are not safe to drink, inhale and wear on one's person. The cautions are there, yet that is exactly what is happening. There are already numerous reports of nearby neighbours' health deteriorating or of them unexpectedly falling very ill with conditions that have no genetic or lifestyle explanations, except that they live right near blueberry farms and hot house crops.

- ✧ Government bodies in Australia, and in NSW in particular, are nowhere close to being up to date with the dangers of environmental chemicals across the board, but in this case I am referring to the adverse effect of pesticides on human health, especially where it is in high concentrations and the person is repeatedly and directly exposed in multiple ways. The health impact has already started showing up. Do we really need to see a recurrence of the bananas all over again? Are we as a human race really that stupid that we can't learn from history? This situation must change and it must change quickly as people's lives are being destroyed and the impact down the track will be a social and financial nightmare.
- ✧ Clearly, there is a very strong need for a revision of permitted pesticides, their conditions of use and of monitoring procedures. Has any branch of Government approached any neighbours of intensive agriculture farms and listened to what they have to say about what practices actually go on in some of these farms, and how they themselves have been impacted?? This is essential to understand the true nature of what is going on.
- ✧ It **MUST** be mandatory that **suitable buffer zones** exist especially for intensive agriculture and in particular blueberries and hot-house type produce. And this needs to be made retrospective in the interest of the health of nearby neighbours. There should be **NO REASON AT ALL** why anyone should be subjected to that which I have described above, yet it is happening, and it **MUST STOP**, no grandfathering allowed. No-one has the right to inflict that situation on another person, and anyone who does should be held accountable. Yet in Coffs Harbour, there are zero buffer zones. In fact, buffer zones were actively removed in the most recent LEP 2013. Additionally, certain councillors have actively quashed the suggestion to establish buffer zones, the reason given was that it wasn't required. **WHAT????** This is nothing but sheer negligence, if not criminal. Society will pay later if there is no immediate action. Governments must make suitable buffer zones mandatory and retrospective and in so doing take a big step to help protect the health of those who are having those toxic chemicals forced directly upon them and whose basic human rights are being ignored.
Everyone "has the right to life, liberty and security of person" says the Universal Declaration of Human Rights to which Australia subscribes.
- ✧ DA's must be mandatory for anyone seeking to set up intensive agriculture. Currently this is not the case in Coffs Harbour. Any current farms that do not comply with an established set of controls needs to be made to take steps to improve their farms to a satisfactory level so that it at least achieves the required outcomes of safety and protection to people and to the environment.

- ✧ Like with the bananas before, pesticides poison the land and directly run off into the nearby waterways, some of which are wetlands. Some farms actively pump water from the wetlands. Yet the Council does nothing. The EPA does nothing. The recent deaths of the Bellingen River turtles was attributed to a 'virus', with no mention of the well-known fact that environmental stress renders an organism susceptible to infections that they otherwise would not have succumbed to, or of the fact that the deaths started occurring not long after blueberry farms started up nearby. People in the area remain unconvinced of the findings. There simply must be tighter controls on such farms and the farmers need to be held to account for the damage they are doing to the environment and their impact on biodiversity here. Oh that's right, the Government's answer is to put more pressure on Forested Owners to preserve biodiversity.

- ✧ Extensive netting has been put up on blueberry farms even though it is adjacent to prime koala habitat and wetlands. The Council does nothing. Apart from the obvious eyesore this creates, what do the various Government departments say and do about that threat to biodiversity???? Oh that's right, the Government's answer is to put more pressure on Forested Owners to preserve biodiversity.

3. Water Quality Impact

- ✧ DPI MUST consider **water quality impacts** when determining water licence approvals. Anything short of this is simply BAD SCIENCE. The lack of co-ordination between government departments makes a cumbersome system that does nothing to protect the water quality of creeks and rivers. Currently, licenses are approved, then when a problem occurs the EPA/Council dithers and do nothing, costs are incurred, and the damage is done, then more costs are incurred. A foreseeable waste of tax-payers money that allows other people to make money at the expense of the environment. The short-sightedness is astounding.

4. Waste Facilities including Composting sites

- ✧ As previously stated, Government bodies in Australia, and in NSW in particular, are nowhere near close to being up to date with the dangers of environmental chemicals across the board. Here I am referring to waste facilities and composting sites. The OEH guidelines do not match current information available in other countries. They are effectively still back in the nineties. There is a very long list of harmful gases that are given off from waste facilities and composting sites. At any time, but especially while turning piles, these facilities give off a cocktail of chemicals many of which are well recognised as toxic in other countries, yet here in Australia, somehow the gases given off, most of which are on our Hazardous Chemicals list and which have foul odours, are still regarded only as a

nuisance..... how is that even possible?

- ✧ People rely on guidance from the relevant Government departments and it is therefore extremely important that the most up-to-date information is available. Much work needs to be done here. Meanwhile, residents close to these types of facilities struggle daily with foul smells and potential adverse health impacts, which are already well documented.
- ✧ Such facilities are not well monitored for chemicals if at all, and the Council does nothing even when complaints are lodged. What hope is there if a Council fails to even acknowledge the problem let alone address it? Where is the compulsory monitoring that Council should conduct at known sources sites in the event they are the regulatory body? What hope is there if the guidance that is available is so out of date that it is effectively useless? In the interest of the health of the employees and the nearby residents, please have the OEH update their information so that they make more responsible statements in their guidelines for the operation of such facilities.
- ✧ The EPA couldn't even point me to any guidelines for such facilities, so what does that even say about the very department that is charged with monitoring such sites??

In brief, currently there is a staggering imbalance in the way that all layers of Government treats those who damage our natural environment and those who protect it. Please, please please correct this imbalance so that those who have benefited from damaging it are made more accountable for their actions, and so that those who protect the environment stop being penalised by unfair constraints and restrictions and are given a break so they have the opportunity to utilise their own land for which they have worked hard. Importantly, Government bodies must be current, relevant and fully informed if they are to be capable of addressing the needs of the community.

Thank you for the opportunity to give voice to these very serious matters.