MEDIA RELEASE

Luke Foley MLC

Shadow Environment Minister

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LABOR CALLS FOR TENFOLD INCREASE IN PENALTIES FOR ILLEGAL FORESTS NSW OPERATIONS

The NSW Labor Opposition will call for a tenfold increase in penalties for environmental offences committed by Forests NSW – following a recent decision by the NSW Land and Environment Court.

"I will introduce a Private Members Bill amending the *National Parks and Wildlife Act* to increase maximum penalties to $220,000, or two years imprisonment, or both for environmental offences committed in the course of carrying out of forestry operations," Shadow Environment Minister, Luke Foley announced today.

"Increasing penalties by tenfold will help address the exceedingly low penalties for illegal forestry operations and the forestry record on complying with environmental laws.

"The penalty for illegal forestry operations is currently $22,000, which is significantly lower than penalties in other NSW environmental legislation.

"By comparison, the maximum penalties for polluting a waterway, illegal land clearing and breaching the Environmental Planning and Assessment Act are all $1.1 million.

"The Land and Environment Court has recently issued a judgement critical of Forests NSW for multiple and 'reckless' breaches of environmental laws.

"In recent months, the Land and Environment Court convicted Forests NSW for undertaking bushfire hazard reduction burning in a smoky mouse exclusion zone - contravening its own Threatened Species Licence in the Nullica State Forest.

"In delivering her sentence, Justice Pepper of the Land and Environment Court said the repeat offences by Forests NSW suggested a pattern of continued disobedience and noted the 'exceedingly low' penalties for the very serious offence."

> *"[The Forests NSW operations] suggests either a pattern of continuing disobedience in respect of environmental laws generally or, at the very least, a cavalier attitude to compliance with such laws."*
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> *"Given the number of offences the Forestry Commission has been convicted of and in light of the additional enforcement notices issued against it, I find that the Forestry Commission's conduct does manifest a reckless attitude towards compliance with its environmental obligations."*
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> *(Justice Pepper, Land and Environment Court, June 2011)*

"The NSW Labor Opposition's Bill will ensure NSW environmental laws reflect the seriousness of illegal forestry operations," Mr Foley said.

"A tenfold increase in penalties for illegal forestry operations will help ensure the future of our State Forests and threatened native plants and animals."

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