



SOUTH EAST FOREST RESCUE

Stoppin' the Choppin'

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Thursday, 20 May 2010

Mr Andrew Mattes
DECCW EPRG

Dear Andrew,

Thank you for your replies to our recent concerns.

We were of the understanding that the 'public availability of information' issue, relating to provision of same by Forests NSW, had been resolved some time ago. Indeed we were led to believe that all the required information would be available on the public computer set up on their counter. Yet, after a visit to the FNSW Batemans Bay Regional Office this afternoon we conclude that the 'warning letters' etc. have had desultory effect.

Instances of non-compliance were apparent.

1. TSL Non-Compliance Register Condition 4.1 f)

The SFNSW Regional Manager responsible for the land to which this licence applies must keep a register of every incident of non-compliance with the conditions of this licence. The register must contain the following information known to SFNSW:

- i. the date, time and duration of the non-compliance;
- ii. the date upon which SFNSW became aware of the non-compliance;
- iii. the exact location of the non-compliance, either marked on the operational map or in the form of Australian Map Grid co-ordinates;
- iv. the name of the person who caused the non-compliance;
- v. the nature of the non-compliance;
- vi. the reasons for the non-compliance;
- vii. whether the non-compliance resulted in any environmental harm;
- viii. any remedial action taken by SFNSW or any other person in relation to the non-compliance and the dates upon which it was taken;
- ix. any disciplinary action taken by SFNSW against any of its contractors, employees, licensees or agents and the dates upon which it was taken; and
- x. any measures taken or proposed to be taken to prevent or mitigate the recurrence of such a non-compliance.
- xi. the name of the Supervising Forestry Officer that was responsible for the supervision of SFNSW staff and other people involved in the forestry operation that caused the non-compliance;
- xii. a full report from the officer causing the non-compliance; and
- xiii. what pre harvesting audit and post harvesting audit checks were carried out to check compliance.

What is available on the said computer does not extend beyond 12/10/2007. Therefore there are two and a half years worth of information lacking. Also lacking was a 'full report from the officer causing the non-compliance'.

2. Monthly IFOA Reports

63. Public availability of documents

(h) any report concerning harvesting operations prepared under clause 30 of this approval;

The monthly IFOA report for this month was not available on the computer for both Southern and Eden subregions. Considering that there is only five working days to go before the next month's report is due it seems tardy.

3. Boyne SF compartment 102

29. Monthly advance notice of harvesting operations

Note: SFNSW may combine the written notices and reports required each month under this, the next clause, clause 42 and clause 43.

(1) This clause applies from 1 July 2002.

(2) By the first working day of each month, SFNSW must submit to the regulatory agencies a written notice that specifies the following:

(a) each new harvesting operation that is proposed to commence that month or the following month, by reference to the event ID for the operation and, if the associated site specific plan, prepared under clause 28, has been approved by SFNSW, to the date on which it was approved;

(b) each suspended harvesting operation proposed to recommence that month or the following month, by reference to the event ID for the operation and to the date on which the associated site specific plan, prepared under clause 28, is approved by SFNSW;

(c) the location of each harvesting operation specified, by reference to State forest name and compartment number or other identifying particulars (in the case of Crown-timber lands other than State forests);

(d) the proposed commencement or recommencement date for each harvesting operation specified; and

(e) the quantity of timber that SFNSW estimates will be yielded for each harvesting operation specified.

(3) In specifying the estimated yield under paragraph (e) of subclause (2), DoP may authorise SFNSW to nominate a figure or a range.

(3A) If SFNSW is of the opinion, having regard to the topography of the relevant land, that the compartment or other location in which a proposed harvesting operation is to be carried out is likely to contain one or more unmapped drainage lines, then the written notice must include a statement to that effect. However, such a statement is required only where:

(a) it is proposed to carry out the harvesting operation other than under the authority conferred by the terms of the licence under the *Protection of the Environment Operations Act 1997* set out in this approval; and

(b) it is proposed to log within any unmapped drainage line or within 10 metres of any unmapped drainage line, in the compartment or other location. If possible, the statement is to indicate where the unmapped drainage line may be situated within the compartment or other location.

(3B) If a new harvesting operation specified in the written notice under subclause (2) is to be carried out (including in part):

(a) at a location that has not been identified in the relevant annual plan of logging operations as an intended location of a logging operation; or

(b) other than in accordance with the order of operations proposed in that annual plan, the written notice is to contain a statement to that effect.

(4) A harvesting operation may be commenced or recommenced only:

(a) where it has been specified in a written notice submitted to the regulatory agencies under subclause (2); and

(b) on or after the date, and in the location, specified in such a notice.

(5) Subclauses (2) to (4) do not apply to a harvesting operation that has been suspended and is subsequently recommenced in the same month.

(6) SFNSW may carry out a harvesting operation other than at the time or location specified in a written notice submitted to the regulatory agencies under subclause (2), provided that the regulatory agencies are notified in writing and in advance of any such variation being implemented.

(7) In this clause, "event ID" means a unique identification number generated by SFNSW's Harvest Tracking System (HTS) that exclusively represents a forestry operation, such as a harvesting operation.

30. Monthly report on harvesting operations

(1) This clause applies from 1 August 2002.

(2) By the first working day of each month, SFNSW must submit to the regulatory agencies a report that specifies the following:

(a) each harvesting operation that has commenced or continued in the financial year within which that month falls, by reference to the event ID for the operation and to date on which the associated site specific plan, prepared under clause 28, was approved by SFNSW;

(b) (in the case of a report to be provided by 1 July of any year) each operation that has commenced or continued in the financial year ending prior to 1 July of that year;

(c) the location of each harvesting operation specified, by reference to State forest name and compartment number or other identifying particulars (in the case of Crown-timber lands other than State forests);

(d) the date on which any such harvesting operation was commenced;

(e) where the operation has been and remains suspended at the date of the report, the date on which it was suspended; and

(f) where the operation has been completed, the date on which it was completed.

(3) In this clause, "event ID" means a unique identification number generated by SFNSW's Harvest Tracking System (HTS) that exclusively represents a forestry operation, such as a harvesting operation.

We were informed by a resident nearby that logging had started in the Boyne State Forest. This was surprising news as there was no mention of this in the May 2010 monthly IFOA report that had been

distributed earlier in the month. Were DECCW informed of this variation as per clause 29.6 above? We requested an amended monthly from Mr Kevin Petty but he said 'I don't know anything about it'. We state that the commencement of logging in Boyne State Forest is a breach of cl 29(2)(a)

4. Request to provide koala survey for Cpt 2032 Murrah State Forest.

4.2 Availability of Data


- a) Copies of the following documents must be made available for inspection by any person at the SFNSW Regional Office or relevant Operational Centre responsible for land to which this licence applies:
 - i. this licence; and
 - ii. all planning documentation and registers relating to harvesting operations, including Harvesting and Operational Plans and Site-specific Conditions.
- b) Copies of all planning documentation for harvesting operations which are the responsibility of the SFNSW Regional Office or relevant Operational Centre must be made available to any person for photocopying at a reasonable cost.

SEFR requested this document and it was not provided. This survey was allegedly completed in 2005.

This is further evidence of the wilful neglect and disregard FNSW have towards their statutory obligations.

Yours

L Stone



S. Daines