

# SOUTH EAST FOREST RESCUE

S T O P P I N ' T H E C H O P P I N '

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22/08/2006

David Nicholson  
Manager  
Forestry Policy and Regulation Section  
Dept. Environment and Conservation

Cc: Ms Lee Rhiannon MLC, Mr Bob Debus

Dear David,

RE: BREACH OF EDEN IFOA-TSL 4.2 AVAILABILITY OF DATA

## **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.*

Tony Whan and myself had been to the Eden Regional Office on Friday 23/6/06 with a request for documents from the non-licence part of the IFOA as well as the EPA annual report. On Monday 3/7/06 a group of conservationists, Tony and myself included, went to the office to get the documents previously asked for.

We spoke with Daniel Twineham, the acting manager, having spoken to James Jagers on the previous Friday. Daniel said to me they did not have any of the information, as there was ambiguity over what was requested.

At this time we asked to see the TSL compliance register and it was pointed out to Daniel that the EPA annual report was on the counter in front of me and that we would like a copy of it. He picked it up, conversation continued with us, and then he put it down on the counter and went out the back.

Not long after this James Jagers walked in. I questioned him regarding the apparent confusion over what documents we wanted and he said there was no confusion, he

knew what we wanted but had not done anything regarding collecting the information for us.

We have again asked James for all the annual logging reports, EPA annual report and to look at the compliance register. He has refused to get the documents and said he had finished doing business with us and if we did not leave he would call the police. We pointed out to him that we have not got any of the publicly available information that is to be available over the counter and therefore he had not finished business with us.

At this point James Jagers went off and called the police. I have made a phone call to Mike Bullen, who was overseas and so I spoke with Andrew Sterling who is filling in for Mike. I explained the situation to him and asked that he phones James and facilitate our request for the public documents. He said he would ring James and find out what was happening.

Not long after the police have arrived and after explaining to them that we were requesting publicly available documents as required by the IFOA, I have been arrested for remaining on inclosed lands.

On Wednesday 5<sup>th</sup> July I have phoned Andrew Sterling and told him I would be in the office that afternoon to collect the information and could he phone the Eden office to arrange this.

When I arrived at the office I was given copies of the annual logging reports and the EPA annual report by James Jagers and Daniel Twineham. I again asked to see the compliance register and was refused. This time they had a copy of the Eden IFOA on the counter and so I have pointed out 4.2 of the TSL to them and still they refused to produce the compliance register, and so I have left.

This is a totally unacceptable situation. It's outrageous that a member of the public is arrested for trying to get copies of publicly available documents. This needs to be fully investigated by you and action taken upon Forests NSW for their failures in this matter.

I also request that you immediately call the Eden office and tell them of their responsibilities under the IFOA and get them to call me when the compliance register is available to be viewed.

If you require any further information please call me.

Regards,

Scott Daines