



South East Forest Rescue

<http://www.myspace.com/southeastforestrescue>

PO BOX 899 Moruya, NSW, 2537

sefr@fastmail.com

Mr Steve Hartley,
Environment Protection and Regulation, Forestry Enforcement
Department of Environment, Climate Change and Water.

28 August, 2010

Re: Logging of Mogo State Forest Cpt 195

Dear Forestry Unit,

Following an inspection of Mogo State Forest Compartment 195 on 28/8/10 we feel obliged to inform you of yet more breaches of licence and non-licence conditions by the logging contractors.

Terms of Licence Under the Threatened Species Conservation Act 1995 For The South Coast Sub-Region of the Southern Region Appendix B, ("Southern TSL").

Breach of clauses 5.2(a) 5.2(c), 5.6(g)(iii):

We entered on 195/1 Rd, then down 195/2 Rd to dump 3, traversed logging area to the north east, then followed the drainage lines westerly, back up to the start of 195/2 Rd.

During the whole traverse there were no Habitat or Recruitment trees marked.

Threatened Species Conservation Act 1995(NSW)

Our traverse also revealed a hollow in an upper branch of a logged spotted gum at 0238807/6026847. (See photo attached).

Loss of hollow bearing trees has been listed as a Key Threatening Process since 2007.¹ A discussion of conservation measures in place to maintain these hollow bearing trees in 1999 highlighted the following points:
Tree mortality is high; the ratio of one recruit tree to one hollow bearing tree is unlikely to maintain the targeted number of hollow bearing trees in Net Harvest Areas in the mid to long term.²

There is a priority action statement for this Key Threatening Process.³ The Expert Panel stressed that

¹ *Threatened Species Conservation Act 1995 (NSW) Sch 3 s8*; < <http://www.environment.nsw.gov.au/determinations/LossOfHollowTreesKtp.htm> >.

² See 'Review of Protective Measures and Protective Measures and Forest Practices - Biodiversity Workshop Southern Region' Ecologically Sustainable Forest Management Group, July 1999, Project No. NA45/ESFM p176-177.

³ *Threatened Species and Conservation Act 1995 (NSW) s90A and s90B*; a threat abatement plan sets out recovery and threat abatement strategies that must be adopted for promoting the recovery of each threatened species, population and ecological community to a position of viability in nature and for managing each key threatening process.

persistence and perpetuation of hollow bearing trees is imperative for survival of forest fauna.⁴

Other concerns

The numerous observations of larger size class spotted gum and iron bark trees logged are of concern given that this compartment is a food source for Grey-headed flying foxes and swift parrots and other various nectar dependent taxa. As we are sure you are aware the Grey-headed flying fox and swift parrot are EPBC listed.

As Forests NSW and the logging contractors have not complied with the RFA and delegated legislation they are not afforded protection or exemption under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

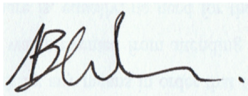
It seems quite obvious that FNSW and their authorised contractors are not bothering with the pretence of complying anymore. We are confident that upon investigation your department will find many more breaches given this logging contractors past history.

SEFR seek that the logging operations cease immediately until such time that Forests NSW and their authorised contractors can unequivocally prove they are abiding by the relevant legislation and delegated legislation.

We would advise urgent action on this matter.

Kind Regards

L Stone



⁴ Review of Protective Measures, above n12; see also Goldingay R, 'Characteristics of Tree Hollows used by Australian Birds and Bats' (2009) 36 *Wildlife Research* 394; see also Gibbons P, Lindenmayer D B, 'Issues Associated with the Retention of Hollow-Bearing Trees Within Eucalypt Forests Managed for Wood Production' (1996) 83 *Forest Ecology and Management* 245.