

# 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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Mr Steve Hartley,  
Manager, Crown Forestry Policy and Regulation,  
Dept. Environment, Climate Change and Water.

2/6/11

## **RE: BREACHES OF EDEN IFOA-TSL, YAMBULLA SF, CPT 446- COUP 1**

Dear Steve,

Following on from our previous breach report for Yambulla SF cpt 450 and 446 dated 4/11/10, SEFR has conducted a second audit of cpt 446 on Monday 30/5/11 and found breaches of the IFOA-TSL prescription 5.11 rocky outcrops.

### **BREACH 1**

The outcrop labelled RO3 0724965, 5878951, in the previous breach report was inspected. FNSW has failed to mark the appropriate exclusion zone for this outcrop. At one small section of the outcrop (0724949, 5878945), FNSW have marked an exclusion with crosses on trees. Unfortunately these marks are on or about the edge of the outcrop and therefore there is no 20m exclusion. On the side of the outcrop closest to Goldmine Rd, (0724926, 5878957), no exclusion has been marked and stumps are located to the edge of the outcrop. Photo 261.

### **BREACH 2**

At the following points, (0725315, 5878781) (0725330, 5878759), FNSW have again marked the exclusion zone at the edge of the outcrop, not 20m from the edge as required. Stumps are located only a few metres from the edge of the outcrop. Photo 339.

### **BREACH 3**

On the harvest plan, there is a large mapped rocky outcrop requiring a 40m exclusion zone around it. At 0725122, 5878790 we found that the marked exclusion zone was only 16m from the edge of the outcrop. This lack of an adequate exclusion zone also seems to continue for at least 70m, and possibly the entire length of the outcrop where logging has occurred. Photo 411, 423.

### **BREACH 4**

#### ***2. General and Transitional Provisions***

##### ***2.1. General***

*d) All specified forestry activities and miscellaneous forestry operations to which this licence applies must be carried out in a competent and reasonable manner.*

Breach 3 shows that forestry operations in this compartment have been carried out in a totally incompetent and unreasonable manner. How the SFO failed to identify and position the exclusion zone boundary for the mapped outcrop in the correct position is a perfect example of incompetence.

SEFR alerted DECCW to these probable but now actual breaches back in November 2010. SEFR requests a detailed response from DECCW as to what investigation occurred in relation to our initial breach report, especially breach 1 where SEFR gave DECCW actual coordinates of the probable future breach. Has DECCW undertaken a site inspection of this compartment? Did DECCW look at or inform FNSW of the outcrop in breach 1 of this report, if not why not? What correspondence or communication was there between DECCW and FNSW regarding the potential future breaches in this compartment?

SEFR requests that operations cease in the adjoining compartments 444 and 445, and that they be protected as compensatory habitat for the damage done by FNSW in compartments 446 and 450.

SEFR requests that this breach report be investigated by DECCW and not handed to FNSW to self audit. SEFR also requests that after DECCW's audit a meeting in the field with SEFR occurs. This has been an ongoing request yet to date this has only occurred for a few compartments in Tantawangalo SF.

Thank you for investigating these breaches in the context of your ongoing regulatory activities and we await your response.

Yours sincerely,

Scott Daines, Lisa Stone, Tony Whan.