



SOUTH EAST FOREST RESCUE

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Office of Environment & Heritage
Crown Forestry Policy & Regulation Section

Re: Bermagui State Forest compartment 2001

Dear OEH,

We write to bring to your attention the following matters:

1. Eden EPL Breach

We note our telephone conversation with your department and submit this report in conjunction.



The harvest plan operation map is different to the relevant Land Information Centre topographic map in contravention of the Eden EPL:

Schedule 1 Part B

OPERATIONAL MAP REQUIREMENTS (Condition 8)

Information to be provided on the harvesting or roading operational map

The following environmental and operational factors must be presented by State Forests on an operational map for each compartment or roading area, as required by conditions 8 and 9 of this licence. The harvesting or roading operational map must be presented at a map scale of 1:15 000 or larger.

A. Operational Area

- A1. net harvest area;*
- A2. non-harvest area;*
- A3. areas of inherent hazard level 4 (indicative boundary);*
- A4. compartment or roading area boundaries;*
- A5. coupe boundaries (if applicable);*
- A6. State Forests boundary (if applicable);*
- A7. areas of plantation (only applicable to areas of mixed native forest and plantation operations);*
- A8. areas of mass movement hazard.*

B. Drainage Feature Protection

- B1. location of watercourses and drainage lines as marked on a 1:25 000 topographic map;*
- B2. filter strip widths for all identified watercourses and drainage lines within the compartment or roading area;*
- B3. location of swamps and wetlands as identified on a 1:25 000 topographic map (as supplied by the Land Information Centre).*

SCHEDULE 2 (Conditions 9; 11; Schedules 1, 3,4& 5)

Factors to be taken into account when planning scheduled and non-scheduled forestry activities

Part A: Information to be assessed during the pre-operational planning and assessment of scheduled and non-scheduled forestry activities

The following environmental and operational factors must be assessed by State Forests during the planning of forestry activities in each compartment or roading area, as required by conditions 9 and 11 of this licence. State Forests must be able to demonstrate the manner in which the relevant factors were considered during the pre-operational planning process, and must identify special site-specific conditions to mitigate against water pollution associated with scheduled or non-scheduled forestry activities. This planning documentation, including the special site-specific conditions that have been developed to mitigate against water pollution must be kept on file in the Regional Office.

ENVIRONMENTAL FEATURES

E. Hydrology

- E1. location of drainage lines, watercourses, swamps and wetlands;*
- E2. drainage pattern and density;*
- E3. stream order as determined according to the methodology specified in part B of this Schedule;*
- E4. stability of drainage lines and watercourses;*
- E5. catchments to which drainage features within the compartment or roading area flow, including the delineation of catchment boundaries; and*
- E6. forestry activities which were carried out in the last two years or are proposed to occur in the next two years in the catchment (both immediate and larger catchments). This must be documented on a map by locating the compartments and indicating the type of forestry activities that occurred or are proposed to occur.*

2. Consultation: Eden TSL

Forests NSW allege that all the necessary consultation was undergone a couple of years ago. We contend that this is not the case. WIRES, NANA and other conservation groups were not consulted in any due diligent manner or following due process at the time, nor at present.

8.8.12. Koala survey

Where a Koala has been detected within two kilometres of a compartment boundary in the period since 1980, or local knowledge indicates that koalas are likely to be present, the following survey regimes and habitat protection measures must be implemented.

- a) Consultation with the local community should be undertaken during the harvest planning stage. As a minimum this should include contact and exchange of information with neighbours, local animal welfare and conservation groups.*

3. The Country Energy issue: Harvest Plan Variation Eden IFOA

We contend that the harvest plan has not been adhered to in that the Visual Protection zone along the Wallaga Lake - Bermagui Road has been logged in excess of the stipulated canopy removal rate.

Eden IFOA

23. Site specific plans of harvesting operations

- (1) Before any harvesting operation is carried out, SFNSW is to prepare a site specific plan in respect of the harvesting operation.*
- (2) The plan is to contain one or more maps identifying the following:
 - (a) the location of the proposed harvesting operation, and where this is a State forest, the relevant State forest name and compartment number; and*
 - (b) any area within this location where harvesting is not to be carried out, including any area within which harvesting is prohibited under this approval.**
- (5) A harvesting operation should only be carried out in accordance with a plan prepared under this clause. However, if a harvesting operation varies from a plan prepared under this clause, then SFNSW must:
 - (a) prepare a document that sets out the reason for such a variation; and*
 - (b) amend the plan, or prepare a document that sets out how the harvesting operation varies from the plan and keep this document with the plan.**
- (6) To the extent of any inconsistency between this approval and a plan prepared under this clause, this approval prevails.*

The harvest plan has on page 4/49:

| | |
|--|---|
| 6. Overhead hazards associated with powerlines | Assess trees within two tree lengths of the powerlines. Directional fall where safe to do so. Refer to FNSW Safety Standard 1.3.12 Working Near Powerlines (and other services) attached to this harvesting plan Contractor is responsible for implementing control strategies during harvesting. |
|--|---|

And on page 11/49:

No more than 45% of the basal area should be removed across the remaining area delineated as FMZ 3bV (Visual) on the Harvesting Plan Operational Map. This canopy retention is not additional to the tree retention prescriptions included in this plan. Additionally, the harvested materials are to be comprised of sawlogs where possible.

In a conversation with a local resident the SFO indicated that it was he that decided what forestry operations should be conducted in the zone adjacent to the FMZ7 section of the compartment:

I then asked Mr. Douche about the buffer zone which had been marked up for a few days.

I said to Mr. Douche, "I think I know what the markings meant on those trees - a dot, from Origin Energy, means trim trees to safe level for power lines, but then the changed marking by forestry meant, ignore dot and remove entire tree."

Then Mr. Douche said "Well if you would like to complain about that then you need to speak to Origin Energy because I had a meeting right here with the representative, Mr. Bird (?) and we walked the buffer zone together and looked at the markings. Mr. Bird (?) said that these were the trees that Country Origin had marked for just trimming. He then went on to say what he would really like is if they could all be taken out for a full 10 meters" And Mr. Douche apparently thought that that was a good plan too because that's what happened.

Thank you for investigating these concerns we raise on behalf of community members.

Kind Regards,

L Stone

B. Daines

S. Daines