







MINISTER FOR THE ENVIRONMENT  
NEW SOUTH WALES

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In reply please quote NP96/08901

Ms G Beyer  
North East Forest Alliance  
149 Keen Street  
LISMORE NSW 2480

17 OCT 1996

Dear Ms Beyer,

The Minister for the Environment, the Hon Pam Allan MP, has asked me to respond to your letter dated 24 July 1996 concerning alleged forestry breaches in the Richmond Range State Forest. I note that you have also referred a copy of your letter to the Director-General of the National Parks and Wildlife Service. Please accept this letter as a response to both your representations.

The Director-General has advised the Minister that the NPWS has conducted a preliminary investigation of your detailed allegations regarding SFNSW's actions in compartment 214 of Richmond Range State Forest.

From the information provided by NEFA it appears that a breach of the Yellow-bellied Glider prescription may have occurred. The procedure in cases of this nature is for a site inspection and report to be made, which may be followed by a referral of the case to the Service's Legal Branch for appropriate action, where sufficient evidence exists.

State Forests of New South Wales (SFNSW) has contacted the NPWS and confirmed that a Yellow-bellied Glider feed tree has been felled. SFNSW has accepted responsibility and is putting in place training procedures to avoid a repetition of this incident. A decision has yet to be made as to whether the Service will take any further action against SFNSW.

As a result of your allegations of logging in deferred areas in Richmond Range State Forest Compartment 313, NPWS staff inspected this site. It appears that SFNSW did log the compartment in contravention of the DFA and the harvesting protocol relating to old growth forest. However, NPWS has no legal jurisdiction to take action on these matters. Nonetheless, these issues have been discussed at a local level between the Manager, Northern Zone NPWS and the Manager Northern Region SFNSW. I also understand that the matter has been dealt with internally by SFNSW.

The Minister has asked me to thank you for your highly detailed and well-presented information and for your interest and concern in this matter. Should you require further information, or have further concerns about possible breaches, please contact the NPWS Northern Zone's Threatened Species Manager on (066) 51 5946.

Yours sincerely

PATRICK HOLLAND  
Policy Adviser to the  
Minister for the Environment



# NEFA

North East Forest Alliance

149 Keen St Lismore 2480 Phone/Fax (066) 22 4737

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## Yellow-bellied Glider Habitat Destruction

Compartments 214, 213 & 212,  
Richmond Range State Forest  
Urbenville Management Area  
- 6 July 1996 -

The North East Forest Alliance has inspected forestry operations in compartment 214, Richmond Range State Forest and discovered a feeding tree of the Yellow-bellied Glider (Sched. 2, vulnerable), that has been felled in the recent logging operation.

The feed tree has distinctive "V notches" covering most of the left over tree which are far too obvious not to be noticed. (See attached photos).

This is a clear breach of the Temporary (section 120) Licence from the National Parks and Wildlife Service, No. TS0004.



Photograph 1. Yellowbellied Glider Feed tree felled in  
cpt. 214.



The Licence condition for Yellow-bellied Gliders, states:

*An inspection shall be undertaken in the vicinity of any Yellow-bellied Glider record or where there is evidence of Yellow-bellied Gliders to determine the feed tree with the most active V-notch markings or other incisions made by the Yellow-bellied Gliders.*

*The tree with the most recent V-notch markings or other incisions shall be the centre tree of any area with a 100 metre radius.*

*All trees with V-notching markings shall be retained.*

*A minimum of 30 trees (>10cm dbh) of the feed tree species shall be retained within the 100m radius and a minimum of 15 mature gum bark trees, with their bark shedding in long strips, shall also be retained within the 100 metre radius. Examples of bark shedding tree species include Flooded, Blue, Grey, Red and White Gum Groups.*

*Where the density of these tree species does not permit the above specified number of trees to be retained, all existing species appropriate to the above shall be retained.*

*If there is more than one marked feed tree within the 100 metre radius the additional feed trees may be counted as those feed trees to be retained.*

There were many other trees in the logged and burnt area with V-notches and other shaped notches, that were still standing. None of the surviving feed trees had been marked for retention.

Even to the untrained eye the V-notches on the felled tree are so distinctive that it seems clear that the State Forests Supervising Officer must have intentionally ignored the feeding markings and marked the tree to be felled.

### **More Habitat Threatened, Cpts 213 & 212.**

There are also many trees in adjacent compartment 213, with distinctive feeding notches of the Yellow-bellied Glider. (See attached photos). This compartment is about to be licensed for harvesting by the National Parks and Wildlife Service and by the Regulation and Public Information Committee. Compartment 212 is about to be licensed by the Regulation and Public Information Committee.

Neither of the compartments have been inspected for V-notches or had trees marked for retention for the Yellow-bellied Gliders.



These compartments have recently been surveyed by State Forests for Koalas and Sooty Owls but no attempt has been made to survey for Yellow-bellied Gliders or other endangered and vulnerable species.

Assuming that the same on ground management practice for cpt. 214 continues for cpt. 212 & 213, there is no doubt that some of the Yellow-bellied Glider feed trees in compartment 213 will be logged, burnt or damaged in the planned logging operations.

Compartments 212 & 213 Richmond Range SF must be surveyed adequately, for all endangered and vulnerable species known or likely to occur in the area, and have the relevant prescriptions implemented and enforced.

## Conclusion

State Forests of NSW must be prosecuted by the National Parks and Wildlife Service for the blatant breach of the NPWS Temporary s120 Licence in compartment 214 Richmond Range SF.

State Forests of NSW must be forced to adhere to the conditions of the NPWS Temporary s120 Licence for the forestry operations in compartments 212 & 213 Richmond Range State Forest, by adequately surveying the compartments for all endangered and vulnerable species known or likely to occur in the area, and have the relevant prescriptions implemented and enforced.

For more information contact Georgia Beyer 066 224 737.



Photograph 4. The  
Feeding notches of  
the Yellow-bellied Glider  
are different shapes.  
This tree is in cpt 214.

Photograph 3. Yellow-bellied Glider feed tree  
Delled in cpt. 214. (Same as photo. 1).







Photograph 2. Yellowbellied  
Glider feed tree still  
remaining in cpt. 214.





Photographs 5 & 6.  
Tree covered in  
V-notches in cpt.  
213. (Same tree  
both sides).



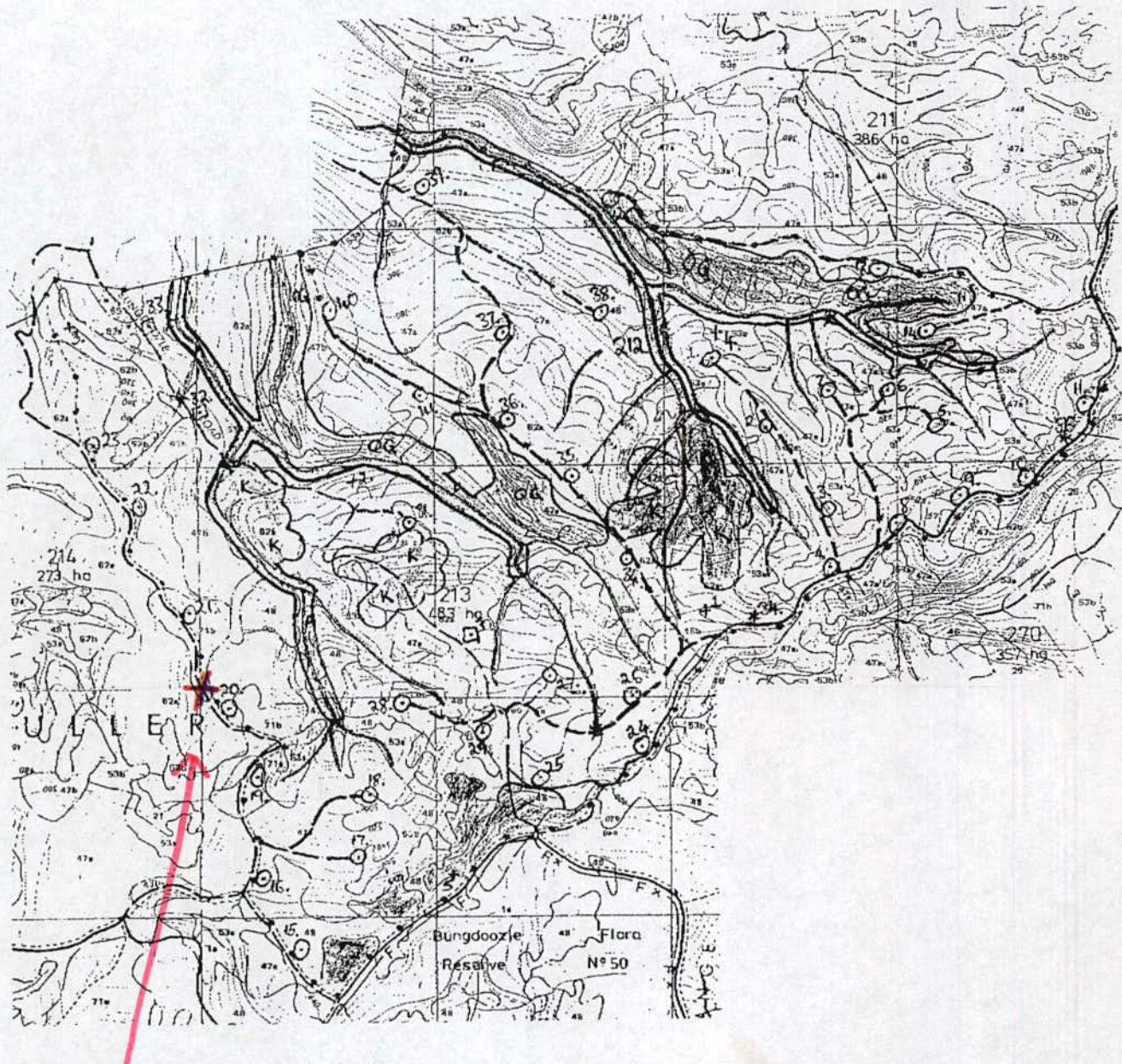
Photograph 7. The  
notches were different  
ages. These are recent  
notches in cpt. 213.





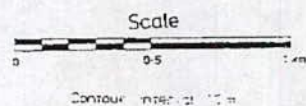
# HARVESTING PLAN OPERATIONAL MAP RICHMOND RANGE STATE FOREST No. 610 COMPARTMENTS 212 & 213

Map Reference: Capen  
AMG NW cnr 469400E 6838850N SE cnr 473900E 6838500N



Yellowbellied Glider  
Feed tree felled in  
cpt. 214.

## LEGEND HARVESTING PLAN MAP NATIVE FORESTS



<b>BOUNDARIES</b>		<b>AVAILABLE FOR HARVESTING</b>		<b>DUMP SITES OR LANDINGS</b>	
— — — — —	State Forest	[White Box]	NORMAL PRESCRIPTIONS	⊗	Permanent Dry weather
• • • • •	Compartment, Coupe, Logging Area	[White Box]	MODIFIED PRESCRIPTIONS	⊗	Permanent Wet weather
<b>ROADS</b>		[White Box]	Special Emphasis - Visual	○	Temporary Dry weather
— — — — —	Existing Gravelled, Sealed	[White Box]		□	Temporary Wet weather
— — — — —	Existing Natural Surface	[White Box]			
— — — — —	Road To Be Constructed	[White Box]			
<b>WATERCOURSES AND DRAINAGE LINES</b>		[White Box]	FLORA AND FAUNA		
— — — — —	Filter and Protection Strip, Approved Crossing	[White Box]	NON HARVEST AREAS		
		[White Box]	- OLD GROWTH		
		[White Box]	- KOALA HIGH USE AREA		
					+ (1-5) SOIL SURVEY SITES
					* (34-86) Apiary Sites



# NEFA

North East Forest Alliance

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The Director-General,  
The National Parks & Wildlife Service,  
PO Box 1967, Hurstville. 2220

6 July 1996

## Complaint of State Forests Logging in a Deferred Forest Area Compartment 313, Richmond Range State Forest Casino Management Area

On 2 July 1996, the North East Forest Alliance stopped logging in compartment 313, Richmond Range State Forest, an area deferred in the November 1995 Deferred Forest Agreement, made between the State and Federal Governments.

Compartment 313 was identified for deferral in all options in the current NSW Government's Interim Assessment Process.

The logging operation in Cpt.313 was called by State Forests, a salvage operation for sleepers. However, there was no valid salvage licence for cpt.313. The operation was not exempted from the Deferred Forest Area (DFA). Even with a valid licence, the only operations exempted from the DFA are for fence posts and fire wood for domestic use.

The logging operation had removed the best of the mature trees in area "A" (see attached map), leaving stumps up to approximately 80cm in diameter. (See attached photos). One tree felled was a Blue Gum, a species that is not used for producing sleepers.

This commercial logging operation was nearly completed when stopped.



### **Yellow-bellied Glider Habitat Destroyed**

The logged area in cpt.313, (area "A"), is predominantly Forest Red Gum and many of the trees are feeding trees of the Yellow-bellied Glider and have V-notches and other shaped notches.

One tree with more recent V-notches has been felled in the operation. (See attached map and photo).

The Temporary (section 120) Licence from the National Parks and Wildlife Service, No. TS0004, has a condition for Yellow-bellied Glider which states:

*"All trees with V-notched markings shall be retained. "*

The felling of the V-notch tree is a clear breach of the NPWS Licence.

### **Habitat Trees**

The habitat tree marking and retention in area "A" was far from adequate. Some of the marked habitat trees had no hollows or such small hollows that they would not be suitable as nesting hollows for the Yellow-bellied Glider, which obviously lives in the area. One marked habitat tree is a Brushbox which does not form hollows. (See attached photos).

### **Old Growth Forest**

Areas of old growth forest, identified in the current Interim Assessment Process, have been logged in this operation contrary to explicit NSW Government policy.

### **Conclusion**

Once again State Forests' complete incompetence has lead to the destruction of an important, high conservation value forest.

Compartment 313 was at every stage identified as being likely needed for the comprehensive, adequate, representative reserve system. The illegal "salvage" operation, discovered and halted by members of the public, has surely severely compromised the areas conservation value remaining after recent quota operations.

It can only then be concluded that the operation proceeded by either extreme incompetence or cynicism on the part of State Forest officials. The obvious question raised is how many other areas have been similarly devalued, and what action will be taken to make the responsible person(s) accountable.



## Action Requested

NEFA requests that:

- all logging operations in 'old growth' forest identified in the IAP be immediately halted and operations transferred to areas outside the Conservation Criteria Outcome;
- a full listing of all Deferred Forest Areas logged contrary to the DFA be publicly disclosed;
- all commercial operations in DFA Compartments be immediately halted and soil erosion mitigation works undertaken;
- SFNSW staff who have wrongly permitted commercial operations be identified and required to undergo further instructions & directions so that there can be no repeat of the failure to correctly recognise the DFA's;
- NPWS investigate the breach of the s.120 licence with a view to the prosecution of those who authorised illegal operations;
- SFNSW field staff be provided with compulsory retraining to identify habitat trees and correctly mark them for retention, especially feed trees for the Yellow-bellied Glider;
- SFNSW staff have their failure to understand and apply simple forest policy commitments recorded on their employment performance contracts as conduct contrary to their professional duties.

NEFA requests that we are formally advised of what action the NPWS will take in response to this report.

Prepared by Georgia Beyer





Photographs 1 & 2.  
V-notches on felled tree in  
cpt. 313

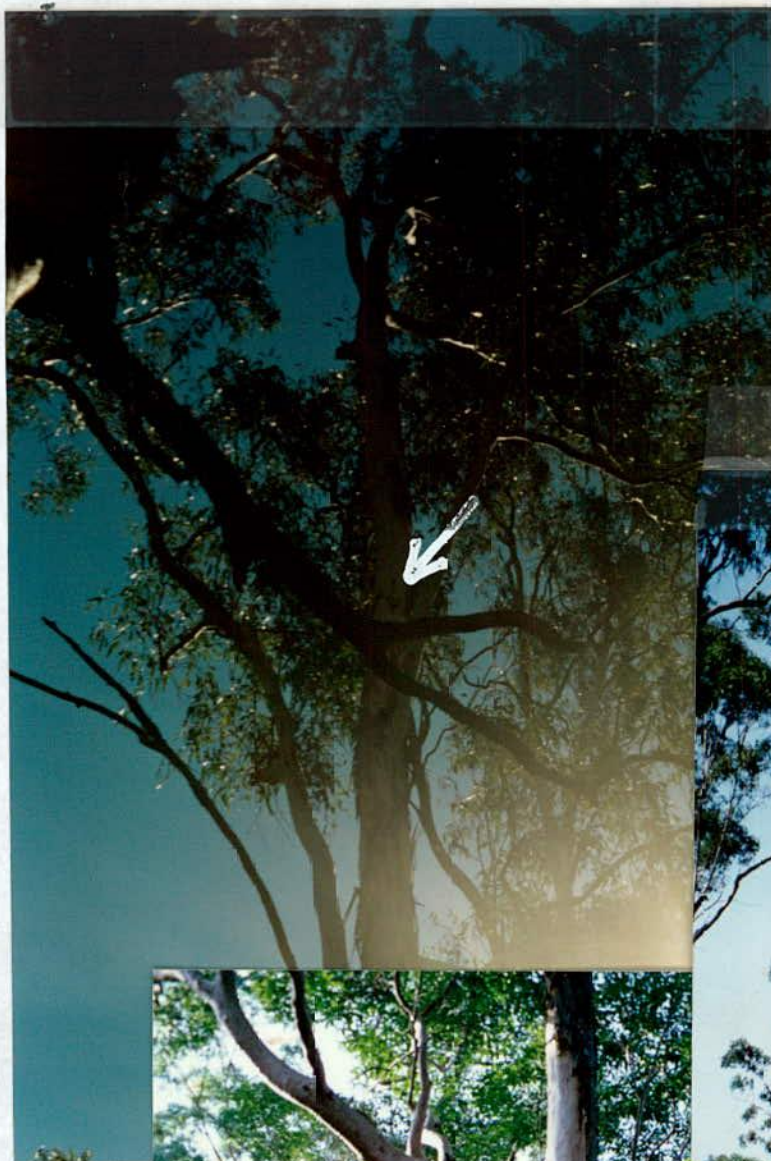
Photograph 3.  
The trees felled in cpt. 313  
were up to 80cm in diameter.





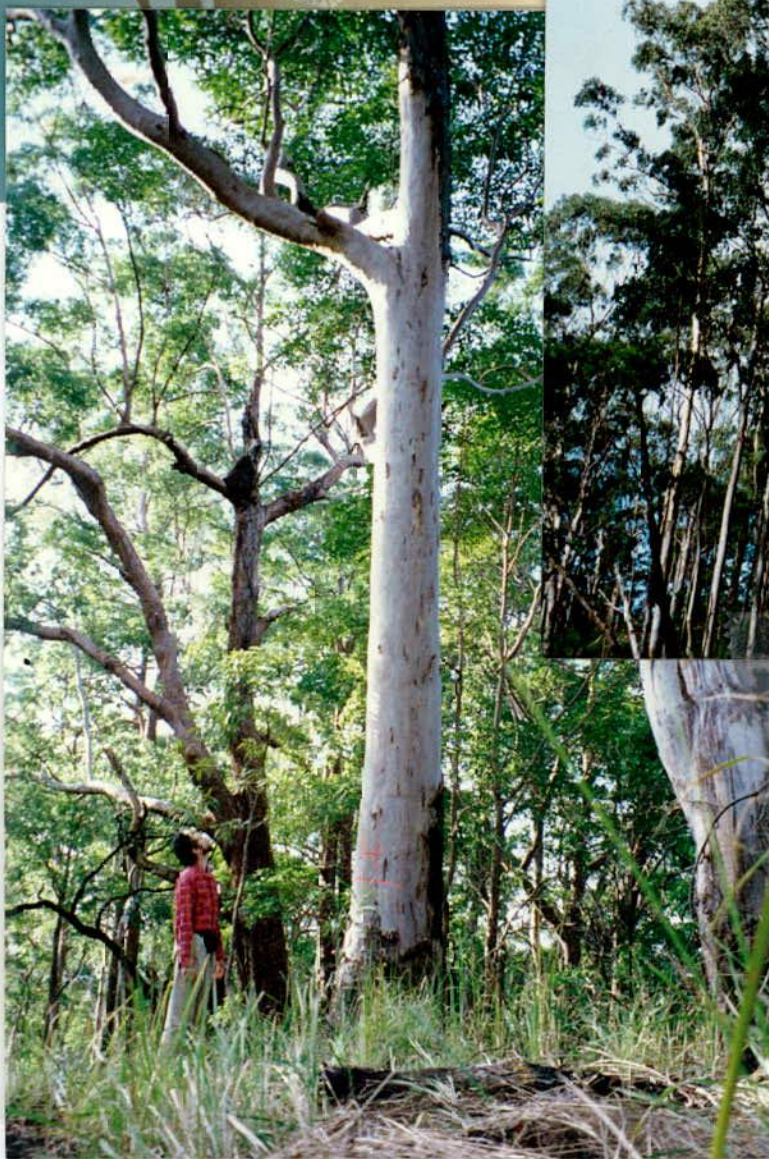
Photograph 4.

Tree with V-notches remaining  
in logged area, apt. 313.



Photograph 5.

Habitat tree marked with  
no hollows.



Photograph 6.

Marked Brushbox as  
habitat tree.







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The Director-General,  
National Parks & Wildlife Service,  
PO Box 1967, Hurstville 2220

## Complaint of State Forests

Logging in a

## Deferred Forest Area

Compartment 313, Richmond Range State Forest  
Casino Management Area

## Addendum

- 22 July 1996 -

State Forests' map of Endangered Fauna Records for the Richmond Range SF shows a record of a Masked Owl on the Boundary of cpt. 313.

The NPWS General Licence for cpt. 313 states:

*Masked Owl:*

*Non-disturbance of known nesting and roosting sites, retention of hollow bearing habitat trees and the low intensity of this operation should ensure a minimal effect.*

The record of the Masked Owl in cpt. 313 does not specify if the site is a nesting or roosting site and this site was not marked or protected in the logging operation.

Many of the habitat trees retained in the operation had no or very small hollows not suitable for the Masked Owl.

The NPWS General Licence for cpt. 313 states:

*If during the course of undertaking things authorised by the licence the Commission becomes aware of the presence of a species listed as Threatened or Vulnerable and Rare, the Commission shall advise the Director immediately in writing.*



The Commission did not notify NPWS of the presence of the Masked Owl in cpt. 313. If this had occurred NPWS would have had the opportunity to implement the latest prescription for the Masked Owl which requires the protection of a 1 km (radius) zone around the record. Much of the logged area in cpt. 313 was within 1 km of the Masked Owl record.

NEFA believes that SFNSW have records of Koalas along the western boundary of cpt. 313. The prescription for Koalas including inspection of areas with known locality records and feed tree retention was not implemented in the logging operation.

For more info contact Georgia Beyer 066 224 737.