

Dear Department of Environment, Land, Water and Planning (the Department) Staff,

URGENT: 832-502-0017 - Logging of Warm Temperate Rainforest and/or buffers

Please find below details of a recent and ongoing breach of the regulatory framework governing logging operations in Victoria's State Forests regarding the identification, delineation and management of Warm Temperate Rainforest.

The map and photograph below show logging within an area of Warm Temperate Rainforest and/or it's buffer within VicForests logging coupe 832-502-0017.

Preliminary site investigation and analysis shows that the Warm Temperate Rainforest present on site exceeds 1.0 hectares and should have been protected including through the implementation of a 40m vegetative buffer.

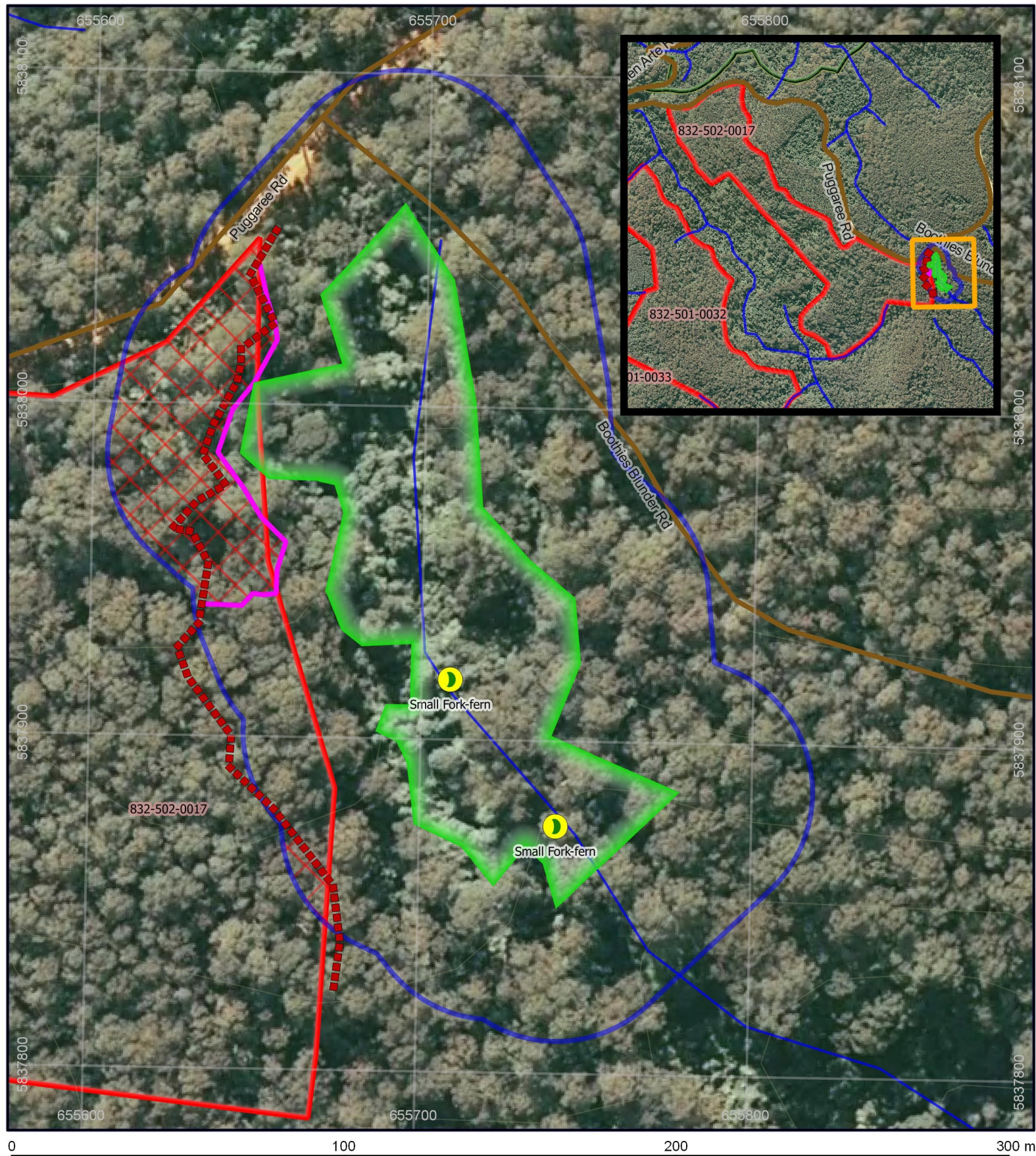
The Warm Temperate Rainforest at this location includes at least the following "differential species" and/or "canopy species" marked as present in Table 1. below:

Table 1. Selection of rainforest species present at this location











Species	Common Name	Warm Temperate Rainforest Differential Species Present	Present as Canopy Species (Management Standards and Procedures, 2014)	Damaged on edge of rainforest/ Logged area
<i>Acacia melanoxylon</i>	Blackwood		YES	
<i>Asplenium bulbiferum</i>	Mother Spleenwort			
<i>Australina pusilla</i>	Shade Nettle	YES		
<i>Blechnum wattsii</i>	Hard Water-fern	YES		
<i>Cissus hypoglauca</i>	Jungle Grape	YES	YES	YES
<i>Crepidomanes venosum</i>	Veined Bristle-fern	YES		
<i>Dicksonia antarctica</i>	Soft Tree-fern	YES		
<i>Elaeocarpus reticulatus</i>	Blue Olive-berry		YES	YES
<i>Fieldia australis</i>	Fieldia	YES		
<i>Gahnia melanocarpa</i>	Black-Fruit Saw-sedge	YES		
<i>Lastreopsis acuminata</i>	Shiny Shield-fern	YES		
<i>Marsdenia rostrata</i>	Milk-vine	YES		YES
<i>Microsorium pustulatum</i>	Kangaroo Fern	YES		
<i>Morinda jasminoides</i>	Jasmine Morinda	YES		
<i>Notelaea venosum</i>	Large Mock-olive	YES		YES
<i>Parsonia brownii</i>	Twining Silkpod	YES		
<i>Pittosporum undulatum</i>	Sweet Pittosporum	YES	YES	YES
<i>Myrsine howittiana</i>	Muttonwood	YES		
<i>Rubus moluccanus</i>	Queensland Bramble	YES		
<i>Rubus rosifolius</i>	Rose-leaf Bramble	YES		
<i>Syzygium smithii</i>	Lilly Pilly	YES	YES	
<i>Tristaniopsis laurina</i>	Kanooka			
<i>Urtica incisa</i>	Scrub Nettle			

Displayed in the table above are five rainforest species present on site that have been damaged or destroyed by logging operations located at the centre of the photograph (Figure 1.) below. As such, the rainforest stand may have been larger than is shown in the map below.

The map included below shows the location of the Warm Temperate Rainforest stand and its minimum 40m vegetative buffer, the presence of a rare rainforest epiphyte within the stand, logging disturbance in close proximity to this area and coupe demarcation activity indicating further logging within minimum rainforest buffer areas.



Legend

- | | | |
|--|---|--|
|  Minimum extent of Rainforest (>1.0 ha) |  Coupe demarcation tapes (part) |  Roads |
|  40m Buffer on Minimum Extent of Rainforest |  Logging disturbance extent (part) |  Watercourses |
|  Small Fork-fern (<i>Tmesipteris parva</i>) |  Logging disturbance within minimum 40m Rainforest Buffer (already logged and planned) |  Contours |
| |  Scheduled Logging Coupes (VicForests, TRP) [Approved_TRP_August_2015] | |

Projection: EPSG: 28355
GDA94/MGA Zone 55

Map Scale:
1:1,500



15 March 2016

Figure 1. Overview of Rainforest stand and logging disturbance



Figure 2. Blackwood logs on coupe log landing



Figure 3. Damaged Jungle Grape vines



Figure 4. Small Fork-fern



Throughout other areas of the eastern parts of coupe 832-502-0017 not examined within this preliminary investigation – including areas now logged or disturbed – are large Blackwood trees (being East Gippsland Rainforest Canopy Species listed at section 4.4.7.2 of the Management Standards and Procedures for Timber Harvesting Operations in Victoria's State Forests, 2014) present in association with various other rainforest elements such as characteristic rainforest species assemblages and structural formations. These areas should be investigated to assess their status as to whether they conform to the relevant Code of Practice's definition of and need to protect rainforest in its transitional and seral stages. If these areas do conform to the Code's definition the logging and removal of Blackwood trees will constitute a breach of the regulatory framework and should be subject to the Department restraining further operations in these areas, the removal of these logs, a full investigation and regulatory action.

Further, the presence of coupe demarcation tapes within the minimum 40m Rainforest Buffer displayed in the attached map indicates that further logging will occur unlawfully unless restrained immediately by the Department.

Please advise as soon as possible any regulatory decisions and actions undertaken by the Department regarding this matter. If the Department does not intend to take any regulatory action please communicate this decision and lack of appropriate action as soon as possible, including as regards:

1. immediately halting logging operations while this matter is further investigated, and;
2. prosecuting the offenders if/when the Department confirms for itself the preliminary findings detailed above (and any further findings regarding the regulatory framework in this area), and;
3. ensuring no further breaches of the regulatory framework with regard to Warm Temperate Rainforest identification, delineation and management occur.

We note that the Department was previously alerted to the likely presence of rainforest within this coupe in an email to the Forest Compliance Unit on March 2nd 2016 from the Goongerah Environment Centre Office. These concerns were raised just two days after the coupe was added to VicForests' Timber Harvesting Safety Zone list and logging had not yet commenced.

The coupe is situated between the Murrungower and Kuark Forest Blocks which are known strongholds for Warm Temperate Rainforest. Coupe 832-502-0017 is less than 500m from the "Scatterbrain" coupe for which the Department previously commenced proceedings against VicForests for the logging of rainforest and associated buffers in similar circumstances.

Thankyou, we look forward to your response and your prompt responsive action to the matters outlined above.

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