



# ***SOUTH EAST FOREST RESCUE***

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LS191010

19 October 2010

## **Re: Logging of Old Growth**

Dear Greg Sullivan,

South East Forest Rescue hereby formally request that you prosecute Forests NSW and the authorised contractor for the damage to mapped Old-growth in Yambulla State Forest Compartment 557.

This compartment, along with others, was earmarked as to be reserved by environment groups from the start of RFA negotiations. It was logged 24 June 2009 and was suspended in Jan 2010.

The evidence is irrefutable. Attached is the IFOA monthly report, the harvest plan map and the TSL non-compliance register.

The defences of honest and reasonable mistake of fact and due dilligence are the reason the regulator has chosen not to prosecute past unlawful acts, despite the authorities that are now available, despite the regulator being no stranger to litigation, despite suspicious circumstances and despite strong clear evidence that damage has occurred as a result of the offenders actions.

It is my understanding that the defence of 'no batteries' is not mentioned in any statute.

Forests NSW and their authorised contractors have produced real harm to environment and ecosystems, to the community, to cultural heritage, the economy and resources. They make and have made deliberate attempts to conceal their offences. Previous administrative responses to contraventions by Forests NSW have not resulted in compliance and the public expect prosecutorial action on these unlawful acts. Proceedings would be seen by the public as being in the public interest.

Kind Regards,

*L Stone*

*S. Daines*