

Annual RFA Implementation Reports - Non-Compliance

YEAR	NUMBER OF NATIVE FOREST OPERATIONS	NUMBER OF AUDITS CONDUCTED	NON-COMPLIANCE WITH EPL CONDITIONS (a)	NON-COMPLIANCE WITH TSL CONDITIONS (b)	AUDIT ACTION PLAN REQUESTS	PENALTY INFRINGEMENT NOTICES ISSUED	WARNING LETTERS ISSUED (c)	ADVISORY LETTERS ISSUED	OFFICIAL CAUTIONS ISSUED	CORRECTIVE ACTION / REMEDIATION NOTICES	L&E COURT ACTION
2004-05	162	12	145	29	-	3	5	-	-	20	\$30,000 plus costs
2005-06	575	8	340	52	-	2	7	-	-	58	
2006-07	967	12	225	95	-	3	9	-	-	58	
2007-08	592	12	311	339	-	4	12	-	-	31	
2008-09	Not stated	11	163	269	-	1	10	-	-	2	
2009-10	518	25	145	192	-	5	10	3	-	6	
2010-11	Not stated	28	245	385	-	12	8	4	-	6	Fined \$5,600
2011-12	Not stated	39	414	188	-	10	17	5	-	Not stated	
2012-13	Not stated	19 (d)	127	202	-	11	4	9	3	Not stated	Mogo State Forest
2013-14	Not stated	21 (e)	26	197	73	2	6	10	6	6	
TOTALS	2814	187	2141	1948	73	53	88	31	9	187	

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(a) Non-compliance with EPL conditions include:

- ☒ failure to protect areas of stream exclusion
- ☒ incorrect or inadequate drainage structures on roads and snig tracks
- ☒ incorrect or inadequate drainage structures at drainage feature crossings
- ☒ administrative errors, including failure to complete planning requirements.
- ☒ incomplete or insufficient recording of Environment Protection Licence breaches
- ☒ waste left at logging sites
- failure to exclude harvesting from wetlands
- administrative errors, including failure to complete planning requirements and/or the inclusion of incorrect information in planning documents
- failure to mark roads on maps
- insufficient soil stabilisation measures
- incorrect or insufficient drainage structures

water flow issues with road drainage
trees felled within protection zone
incorrect marking up drainage lines and filter strips
culvert pipe blockage
repeated instances of administration errors, for example incorrect or incomplete planning documents
incorrect or insufficient drainage structures including drainage feature crossings and road drainage structures
insufficient soil stabilisation measures
machinery entering filter strips
insufficient maintenance of existing log dams or gully stuffers

(b) Non-compliance with TSL conditions include:

- ☒ failure to protect exclusion zones
- ☒ lack of or inadequate marking of exclusion zones and habitat features
- ☒ incomplete or insufficient pre-logging and pre-roading surveys for threatened species
- ☒ failure to protect retained habitat and recruitment trees
- ☒ inadequate selection of habitat and recruitment trees.
- ☒ failure to protect riparian habitat
- ☒ failure to exclude forestry operations from old growth forest
- ☒ incomplete or insufficient recording of Threatened Species Licence breaches
- failure to protect wetlands
- failure to exclude forestry operations from rainforest areas
- damage to recruitment and habitat trees
- failure to prepare sufficient pre-logging and pre-roading reports
- no/insufficient submission of TSL non-compliances
- harvesting machinery entering area of rainforest
- insufficient retention of Riparian Habitat Protection Zones
- insufficient implementation of exclusion zones for streams and ridge and headwater habitat
- harvesting machinery entering stream exclusion zone
- insufficient wetland protection

(c) Warning letters may include reference to numerous non-compliance of licence conditions or clauses in legislation from one audit.

(d) 19 planned audits and 50 investigations

(e) 21 planned audits and 29 investigations

This table has been compiled from EPA Annual Reports published here:

<https://www.epa.nsw.gov.au/your-environment/native-forestry/integrated-forestry-operations-approvals/annual-reports>