

Latest News: Far South Coast logging contractor fined \$30,150.00 and ordered to pay the Department of Environment,

Climate Change and Water (DECCW) costs of \$30,000 after appearing in the Land and Environment Court for the illegal clearing of native vegetation on a property south of Pambula.

Vin Heffernan Pty Limited, pleaded guilty to clearing native vegetation in late 2007 on private property near the junction of the Yowaka River and the Princes Highway without the necessary planning approvals.

The court heard that Vin Heffernan Pty Limited had been engaged by a local developer to undertake clearing of native vegetation for a multi-lot subdivision on 85 hectares which had received a development approval from the Bega Valley Shire

Council subject to certain restrictions on the amount of vegetation that could be removed. The development consent did not permit the clearing of any vegetation from a 22 hectare area of the site.

After initially clearing native vegetation from areas approved by the development consent employees of Vin Heffernan Pty Limited began working within the 22 hectare area where clearing had been prohibited.

Vin Heffernan Pty Limited claimed in court that its employees were relying on instructions to clear the native vegetation from the local developer and property owner. However the court heard that Mr Heffernan, a director of Vin Heffernan Pty Limited did not ask for and was not shown any approvals for the 22 hectares cleared.

Nor did he make any enquiries with the Southern Rivers Catchment Management Authority, the Council or the Rural Fire Service prior to providing machines and operators to undertake the clearing of native vegetation on the land.

The DECCW explained to the court that the conservation value of the cleared vegetation on a local scale was high and the clearing would have caused significant impact on vegetation and fauna locally.

DECCW maintains however that the affected area has good potential to recover in the medium to long term.

A remediation order to rehabilitate the illegally cleared area has been issued to the local developer and owner of the land.

This is currently the subject of an appeal before the Land and Environment Court.

DECCW Director-General, Lisa Corbyn, said today that this case highlights the dangers of carrying out such work without checking that the appropriate approvals are in place.

"It's simply not good enough for a contractor to make an assumption that the landholder requesting the clearing has got the consents required to do this legally," Ms Corbyn said.

"The community's views on the issue of illegal land clearing have hardened considerably and there are expectations today that all clearing of native vegetation be carried out in strict accordance with planning approvals.

"This did not happen and the defendant in this case has paid the price."

South East Forest Rescue

'Stoppin the Choppin'

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