

Site-specific biodiversity condition for Greater Gliders in the Coastal IFOA region

I, Tony Chappel, Chief Executive Officer of the NSW Environment Protection Authority (**EPA**), for and behalf of the EPA, amend the site-specific biodiversity condition titled 'Site-specific biodiversity condition for Greater Gliders in the Coastal IFOA region' issued to the Forestry Corporation of NSW on 16 February 2024 by replacing all of the conditions therein with the conditions below with effect from 27 May 2024, pursuant to condition 21.5 and Protocol 31.3 of the Integrated Forestry Operations Approval for the Coastal IFOA region (the **approval**) dated 16 November 2018.

Interpretation

1. Terms in this document have the same meaning as in the **approval**, except where the contrary intention appears. Terms in bold and italics are as defined in Protocol 39 of the **approval**.
2. In addition to the terms defined in the **approval**, the following definitions apply in this document:

Eden Greater Glider zone means the area attributed as 'Eden greater glider zone' and mapped in the 'Greater_Glider' **spatial dataset**

Geodetic Calculators means the Geodetic Calculators available at:
<<https://geodesyapps.ga.gov.au/sunrise>>

Greater Glider tree means a live tree with a **diameter at breast height** equal to or greater than:

- a. 80 cm in the **higher density Greater Glider zone**; and
- b. 50 cm in the **lower density Greater Glider zone, Eden Greater Glider zone and north coast Greater Glider zone**.

higher density Greater Glider zone means the area attributed as 'higher density Greater Glider zone' and mapped in the 'Greater_Glider' **spatial dataset**

lower density Greater Glider zone means the area attributed as 'lower density Greater Glider zone' and mapped in the 'Greater_Glider' **spatial dataset**

north coast Greater Glider zone means the area attributed as 'north coast Greater Glider zone' and mapped in the 'Greater_Glider' **spatial dataset**

search and survey plan means a plan prepared in accordance with condition 13 of this **site-specific biodiversity condition**

Area and records to which this **site-specific biodiversity condition** applies

3. This **site-specific biodiversity condition** applies to all relevant **records** of the Greater Glider (*Petauroides volans*) in the **Coastal IFOA Region**. For the purposes of this **site-specific biodiversity condition**, areas mapped in the 'Greater_Glider' **spatial dataset** are taken to be relevant **records** of the Greater Glider.

Duration of the *site-specific biodiversity condition*

4. This *site-specific biodiversity condition* has effect until revoked or amended in writing by the EPA.

Continuation of the *approval*

5. The conditions of the *approval* and the *protocols* continue to apply, except as otherwise provided by this *site-specific biodiversity condition*. For the avoidance of doubt, nothing in this *site-specific biodiversity condition* limits the requirement to undertake *broad area habitat searches* under condition 57 of the *approval*.

Adjustments to *retained trees* requirements in the **higher density Greater Glider zone** and **lower density Greater Glider zone**

6. In the **higher density Greater Glider zone** and the **lower density Greater Glider zone**, the following *retained trees* must be permanently retained:
 - a. a minimum of six **Greater Glider trees** per hectare of *net harvest area* of the **higher density Greater Glider zone**;
 - b. a minimum of four **Greater Glider trees** per hectare of *net harvest area* of the **lower density Greater Glider zone**;
 - c. where the density specified in condition 6(a) or (b) above is not available, all **Greater Glider trees**.
7. The **Greater Glider trees** selected for the purpose of condition 6 of this *site-specific biodiversity condition* must be:
 - a. in addition to the *retained trees* required to be permanently retained under the *approval*; and
 - b. identified, recorded and protected in accordance with **Protocol 23: Tree retention as retained trees**.

Note 1: The note under condition 23.2(2) of **Protocol 23: Tree retention** is taken to extend to **Greater Glider trees** in the same way it applies to *hollow-bearing trees*.

Note 2: The EPA may prepare guidelines to support the implementation of this condition.

Adjustments to *retained trees* requirements in the **Eden Greater Glider zone** and **north coast Greater Glider zone**

8. In the **Eden Greater Glider zone**, where the density of *hollow-bearing trees* specified in condition 64.2(c)(ii) of the *approval* is not available, **Greater Glider trees** must be permanently retained such that the combined total of *hollow-bearing trees* and **Greater Glider trees** per hectare of the *net harvest area*:
 - a. is a minimum of eight; and
 - b. where the density specified in condition 8(a) above is not available, all **Greater Glider trees**.
9. In the **north coast Greater Glider zone**, where the density of *hollow-bearing trees* available is less than five per hectare of the *net harvest area*, **Greater Glider trees** must be permanently retained such that the combined total of *hollow-bearing trees* and **Greater Glider trees** per hectare of the *net harvest area*:

- a. is a minimum of five; and
 - b. where the density specified in condition 9(a) above is not available, all **Greater Glider trees**.
10. The **Greater Glider trees** selected for the purpose of conditions 8 and 9 of this *site-specific biodiversity condition* must be identified, recorded and protected in accordance with **Protocol 23: Tree retention** as *retained trees*.
11. For the purposes of conditions 6 to 10 of this *site-specific biodiversity condition*, **Greater Glider trees** must prioritise the retention of *hollow-bearing trees*, particularly those that have evidence of use or occur in clusters, before utilising any other tree meeting the definition of a **Greater Glider tree**.

Greater Glider and Glider (*Petauroides volans*) den trees search and survey requirements

12. A *forestry operation* (other than *road maintenance*) must not be conducted in any part of an *operational area* in the **higher density Greater Glider zone** or the **lower density Greater Glider zone** unless a search and survey for Greater Gliders and Glider (*Petauroides volans*) den trees has been planned and completed in that *operational area* in accordance with conditions 13 to 16 of this *site-specific biodiversity condition* no more than 6 months prior to that *forestry operation* commencing in that *operational area*.
13. At least 3 weeks prior to commencing a search and survey in the *operational area*, **FCNSW** must prepare and submit to the EPA a **search and survey plan** for that *operational area* that:
- a. is prepared by a *suitably qualified person*;
 - b. addresses the requirements in condition 14 below; and
 - c. includes a map of all transects planned in accordance with condition 14(c) below.
14. A search and survey for Greater Gliders and Glider (*Petauroides volans*) den trees must:
- a. be carried out in accordance with the relevant **search and survey plan** (except where there is an inconsistency with this *site-specific biodiversity condition* in which case this *site-specific biodiversity condition* will prevail);
 - b. be carried out in, and within 50 metres of, the *base net area* of the *operational area*;
 - c. involve, for each 100 hectares of *base net area* of the *operational area*, at least three separate transects that:
 - i. total a minimum of one kilometre on a pro rata basis;
 - ii. are distributed within and across *compartments* in the *operational area*,
 - iii. are each a minimum of 250 metres in length; and
 - iv. are chosen to representatively sample habitat suitable for Greater Gliders or Glider (*Petauroides volans*) den trees;
 - d. be carried out at night, with the first transect of each night of the search and survey commencing no more than 30 minutes after sunset local time as specified by the **Geodetic Calculators** (but subsequent transects on the same night of the search and survey are not required to commence within 30 minutes after sunset local time);
 - e. be carried out by at least two *suitably qualified persons*;

- f. be conducted on foot at an average speed of no more than one kilometre per hour based on the transect length and start and finish times for each transect;
 - g. be carried out along **roads, tracks** or trails:
 - i. where habitat suitable for Greater Gliders or Glider (*Petauroides volans*) den trees is known or likely to occur adjacent to **roads, tracks** or trails; or
 - ii. if the habitat in condition 14(g)(i) is unavailable, where habitat potentially suitable for Greater Gliders or Glider (*Petauroides volans*) den trees occurs adjacent to **roads, tracks** or trails;
 - h. be conducted using a spotlight with an intensity of at least 400 lumens and no more than 1,000 lumens;
 - i. not be conducted in high wind or heavy rain conditions;
 - j. record and map the relevant information required by condition 20.5 of **Protocol 20: Pre-operational surveys**, including a tracklog of the search and survey mapped in accordance with condition 117 of the **approval**; and
 - k. be repeated in accordance with condition 14(a) – (j) above at least once on a different night or nights within three weeks of the previous search and survey.
15. Within 7 days of a search and survey for Greater Gliders and Glider (*Petauroides volans*) den trees for an **operational area** being completed under this **site-specific biodiversity condition**, and prior to conducting **forestry operations** (other than **road maintenance**) in any part of the **operational area, FCNSW** must:
- a. provide to the EPA the results of that search and survey, including details of consistency with the **search and survey plan** and the requirements of condition 14 above, as well as the information required by condition 14(j) above; and
 - b. include a copy of the map referred to in condition 13(c) above in the relevant **operational plan**.
16. **FCNSW** must comply with conditions 12 to 15 of this **site-specific biodiversity condition** unless otherwise approved in writing by the EPA.

17. A search and survey for Greater Gliders and Glider (*Petauroides volans*) den trees carried out in accordance with conditions 12 to 16 of this **site-specific biodiversity condition** is taken to satisfy the search and survey requirements of conditions 57.1(b)-(c) and 57.2 of the **approval** in respect of Greater Gliders and Glider (*Petauroides volans*) den trees.

Note: The requirements in conditions 12 to 16 of this **site-specific biodiversity condition** are minimum requirements and nothing in these conditions prevents **FCNSW** from exceeding the requirements specified where it is consistent with achieving and giving effect to the objectives of the **approval**.

Greater Glider Exclusion Zones

18. Where a Greater Glider is seen in a tree during a search and survey conducted under this **site-specific biodiversity condition**, a 25 metre radius exclusion zone must be retained around that tree (**Greater Glider Exclusion Zone**) and a map of all Greater Glider Exclusion Zones included in the **operational plan** prior to **forestry operations** being conducted in any part of the **operational area**.
19. A Greater Glider Exclusion Zone must be retained until the **completion** of **forestry operations** in the **operational area**.

20. The following conditions apply to a Greater Glider Exclusion Zone:
- a. **forestry operations** are prohibited within the Greater Glider Exclusion Zone unless otherwise specified in this **site-specific biodiversity condition**;
 - b. A tree (or any part of a tree) must not be felled into the Greater Glider Exclusion Zone;
 - c. **FCNSW** may **maintain** and use existing **roads**, existing **tracks** and existing **drainage feature crossings** in the Greater Glider Exclusion Zone;
 - d. **FCNSW** must not **construct** or **upgrade roads, tracks** or **drainage feature crossings** unless approved by the EPA in accordance with **Protocol 5: Approvals for restricted activities**;
 - e. **FCNSW** must not **construct** or re-open a **log dump** within the Greater Glider Exclusion Zone unless approved by the EPA in accordance with **Protocol 5: Approvals for restricted activities**;
 - f. **FCNSW** must not conduct **snigging** except with the prior written approval of the EPA;
 - g. Subject to condition 20(c)-(f) above, machinery entry into the Greater Glider Exclusion Zone is prohibited;
 - h. Subject to condition 20(c)-(f) above, **forest products** or **coarse woody debris** must not be removed from the Greater Glider Exclusion Zone; and
 - i. **FCNSW** must **stabilise** and **rehabilitate** any area within the Greater Glider Exclusion Zone that is **disturbed** by **forestry operations**.
21. For the purposes of **Protocol 5: Approvals for restricted activities**:
- a. Table 1 is taken to include the following activities as **restricted activities** for which the approval body is the EPA and for which a written application must be submitted with a report prepared in accordance with condition 5.3 of **Protocol 5: Approvals for restricted activities**:
 - i the **construction** or **upgrade** of a **road, track** or **drainage feature crossing** in a Greater Glider Exclusion Zone; and
 - ii the **construction** or re-opening of a **log dump** in a Greater Glider Exclusion Zone;
 - b. Where the **restricted activity** relates to re-opening an existing **log dump** in a Greater Glider Exclusion Zone, **FCNSW** must also include the following information in the report prepared under condition 5.3 of **Protocol 5: Approvals for restricted activities**:
 - i the date (year) of commencement and completion of the previous **log dump** usage; and
 - ii an assessment and description of forest structure and forest health in the Greater Glider Exclusion Zone at the **log dump** location.

Adjustments to **broad area habitat search**

22. For the purposes of condition 57 of the **approval**, Table 2 of condition 57 of the **approval** is taken to include **Greater Glider trees**.

Note: The requirements of a **broad area habitat search** in condition 57 of the **approval** applies to **Greater Glider trees**.

Adjustments to protection of *nest, roost or den*

23. For the purposes of the **approval**, column (b) of Table 4 of Chapter 4 of the **approval** is taken to include **records** of Glider (*Petauroides volans*) den trees.

Adjustments to monitoring requirements

24. Condition 38.3(1)(a) of **Protocol 38: Monitoring Program** is taken to include the effectiveness of this **site-specific biodiversity condition** in protecting Greater Glider populations in areas mapped in the 'Greater_Glider' **spatial dataset** as informed by the results of any search and survey for Greater Gliders and Glider (*Petauroides volans*) den trees under this **site-specific biodiversity condition**.

Adjustments to definitions

25. A **Greater Glider tree** retained for the purposes of this **site-specific biodiversity condition** is taken to be a **retained tree** for the purposes of the **approval**.

Transitional arrangements

26. Where **forestry operations** have prior to 27 May 2024 been commenced, but have not been **completed**, in an **operational area**:
- a. the search and survey requirements of the 'Site-specific biodiversity condition for Greater Gliders in the Coastal IFOA region' issued to **FCNSW** on 16 February 2024 that applied prior to 27 May 2024 continue to apply in respect of that **operational area**; and
 - b. **FCNSW** must also comply with conditions 18 to 21 above in respect of further **forestry operations** in that **operational area** from 27 May 2024, and a reference to a search and survey in condition 18 above is taken to include a reference to a search and survey conducted under the 'Site-specific biodiversity condition for Greater Gliders in the Coastal IFOA region' issued to **FCNSW** on 16 February 2024 that applied prior to 27 May 2024, unless otherwise approved in writing by the EPA.
27. Where **FCNSW** has prior to 27 May 2024 commenced or completed a search and survey for an **operational area** under the 'Site-specific biodiversity condition for Greater Gliders in the Coastal IFOA region' issued to **FCNSW** on 16 February 2024 but **forestry operations** have not commenced in the **operational area** prior to 27 May 2024, conditions 1 to 25 above apply unless **FCNSW** obtains written approval from the EPA that other requirements apply.

TONY CHAPPEL

Chief Executive Officer

Environment Protection Authority

26 May 2024