

ORIGINAL CLAUSES

AMENDMENT 1 **(1 December 2001)** **Non-Licence Terms**

- [1] **Clause 10 – Protection of rare non-commercial forest types, high conservation value old growth forest and rainforest**

Note added.

- [2] **Clause 10(14) – Definition of “high conservation value old growth forest”.**

Clause modified.

Deleted “(2 Dec 1999)” from the definition of “high conservation value old growth forest” and replace with “(21 Dec 1999)” to correct a typographical error.

- [3] **Clause 10(14) Definitions of ‘routine road maintenance’ and ‘road re-opening’**

Definitions of “road maintenance” and “road re-opening” modified. Previously defined as:

“road maintenance” means the clearing, scraping or treating of a revegetated road where none of the trees growing on the road have a diameter at breast height over bark of less than 20cm;

“road re-opening” means the clearing, scraping or treating of a revegetated road where none of the trees growing on the road have a diameter at breast height over bark of more than 20cm.

- [4] **Clause 32 – Bee-keeping restricted in certain zones**

Clause replaced. Previously stated:

32. Bee-keeping restricted in certain zones

(1) This clause applies to the following land in the Upper North East Region:

(a) any area that is, or is within, an area of State forest declared to be a special management zone under the *Forestry Act 1916*; or

(b) any area that is, or is within, an area classified as Forest Management Zone 2 or 3A in accordance with the Forest Management Zoning System.

Note: “Forest Management Zoning System” is defined in clause 1 of this approval by reference to the document entitled, “Forest Management Zoning in State Forests” (State Forests of New South Wales, December 1999). That document is available for public inspection and copying under clause 48.

The Forest Management Zones for the Upper North East Region are mapped. These maps are available for public inspection and copying under clause 48 of this approval.

(2) Subject to subclauses (3) – (6), bee-keeping is not to be carried out on land to which this clause applies.

(3) Subclause (2) does not apply to bee-keeping carried out under a relevant occupation permit that is:

- (a) in force on 1 January 2000; or
- (b) in force on 1 January 2000 and renewed after that date,

provided the permit holder is the same person as the permit holder on 1 January 2000, or a family member of that person.

(4) SFNSW must not:

- (a) grant a relevant occupation permit; or
- (b) consent to the transfer of a relevant occupation permit to any person other than a family member of the existing permit holder.

(5) Nothing in this clause prevents SFNSW:

- (a) renewing a relevant occupation permit in force on, or immediately prior to, 1 January 2000; or
- (b) granting a relevant occupation permit, provided the land to which it applies was the subject of a relevant occupation permit held by a family member of the permit holder immediately prior to the granting of the occupation permit.

(6) Where a relevant occupation permit is renewed under subclause (5), SFNSW must not in renewing the permit, vary the land to which the permit applies by adding further land of the kinds to which this clause applies.

(7) In this clause:

“family member” of a person (including a “permit holder” or “existing permit holder”) means a spouse, de facto partner (whether of the same or the opposite sex), sibling, parent or child (including a step-child, son in-law or daughter in-law) of the person; and “relevant occupation permit” means an occupation permit to occupy land to which this clause applies for the purposes of bee-farming, granted under section 31 of the *Forestry Act 1916*.

Note: Under clause 42 of this approval SFNSW is required to record in compartment histories particulars of any occupation permit to occupy land for the purposes of bee-farming granted under section 31 of the Forestry Act 1916 applying to the compartment concerned.

[5] Clause 39(2) Road construction restricted in certain zones

Clause modified. Words “road maintenance” replaced with “routine road maintenance”

Road construction, road re-opening and road maintenance on land to which this clause applies may only be carried out where:

[6] Clause 39(3) Road construction restricted in certain zones

Clause modified. Words “road maintenance” replaced with “routine road maintenance”

In this clause, “road maintenance” and “road re-opening” have the same meanings as in clause 10.

[7] Clause 48 (1)(j) Public availability of documents

Clause added.

AMENDMENT 1

(1 December 2001)

Terms of Licence under the Threatened Species Conservation Act 1995

[1] **Definitions and Abbreviations.**

*Definitions of “road-reopening” and “routine road maintenance” modified.
Previously defined as:*

“Road-re-opening” means the cleaning, scraping or treating of an existing revegetated road where any of the trees on the road are greater than 20 centimetres dbhob.

“Routine road maintenance” means the clearing, scraping or treating of an existing revegetated road where trees on the road are less than 20 centimetres dbhob

AMENDMENT 2
(28 April 2003)
Non-Licence Terms

[1] Clause 1(4)

New clause added.

[2] Clause 10 – Protection of rare non-commercial forest types, high conservation value old growth and rainforest

Note inserted by Amendment No 1 to the Approval that commenced on 1 December 2001 replaced by new note.

Note: Conditions 5.1, 5.3, 5.4 and 5.5 of the terms of the licence under the Threatened Species Conservation Act 1995 set out in Appendix B to this approval regulate forestry operations in the above forest types and rainforest exclusion zones in a similar way to this clause.

[3] Clause 10 (4A-4D) Accidental felling.

New clauses added.

[4] Clause 10 (7) – Construction of roads and snig tracks and use of snig tracks for purposes of snigging

Clause modified. Words “, and snigging may be carried out,” replaced with “and used”.

Despite subclauses (2) – (4), a road or snig track may be constructed, and snigging may be carried out, in any area to which this clause applies, where:

[5] Clause 10 (7) (a)

Clause modified. Words “road or snigging” replaced with “construction”.

[6] Clause 10 (7) (b), (8) and (11)

Clause modified. Words “or snigging” deleted.

[7] Clause 10 (10)

Clause modified. Words “or snigging” and or “or snigging” deleted.

Where the construction of a road or snig track, or snigging is carried out in an area to which this clause applies, SFNSW must ensure that all practicable measures are taken to minimise any adverse impacts of the construction or snigging, on the environment.

[8] Clause 10 (13) – Felling of trees into area to which this clause applies where subject of approved research program

Clause revoked.

- 13) Subclause (4) does not apply to that part of any area in which a research program is carried out in accordance with:
- (a) condition 22 of the terms of the licence under the *Protection of the Environment Operations Act 1997*; and
 - (b) condition 5.21 of the terms of the licence under the *Threatened Species Conservation Act 1995*,

[9] Clause 10 (14) Felling of trees to an area to which this clause applies where subject of approved research program

*Definition of “high conservation value old growth forest” deleted and replaced.
Previously defined as:*

“high conservation value old growth forest” means any area of land within the Upper North East Region:

- (a) depicted in the Geographic Information System theme in ESRI grid format called “hcovog1_prctcd” in the sub-directory called “Protected_HCVOG” on the CD-Rom, lodged with DUAP and having the volume label “991221_1516 (21 Dec 1999)”, and
- (b) further described in the corresponding metadata on the CD-Rom.

Definition of “directional felling” added.

[10] Clause 10A – Removal of accidentally felled trees from rainforest or rainforest exclusion zone

New clause added.

[11] Clause 18 A-H Application of part

Clause added.

[12] Clause 19(2) – Logging operations in restricted zones

Note added.

[13] Clause 19(2) – Accidental felling of trees.

New clauses 19(2A) – 19(2D) added.

[14] Clause 23 (4A)

New clause added

[15] Clause 44 (2)

Clause deleted and replaced. Previously stated:

(2) *A requirement for the purposes of this clause is a requirement imposed by a term of this approval (including a term of a licence set out in this approval) or a document with which this approval requires compliance.*

[16] Clause 44 (3)

New Clause and note added.

AMENDMENT 2

(28 April 2003)

Terms of Licence under the Protection of the Environment Operations Act 1997

[1] **Condition 22 (Research into the alternative management of filter strips)**

Condition revoked.

22. Research into the alternative management of filter strips

- 22.1 State Forests may develop a research program to assess the impacts of altered management practices within and adjacent to filter strips on the effectiveness of filter strips.
- 22.2 Where State Forests develops a filter strip research program in accordance with condition 22.1 of this licence, State Forests must consult and negotiate with the EPA over the development of the program. The EPA must negotiate with State Forests any changes to methods prior to approval.
- 22.3 The filter strip research program specified in condition 22.1 must be submitted to the EPA in writing as a document titled: "An assessment on the effectiveness of filter strips subject to altered management practices within and adjacent to filter strips" for approval prior to commencement.
- 22.4 The filter strip research program specified in condition 22.3 of this licence must include a representative sample of compartments statewide and provide, as a minimum, the following details:
- (a) a site-specific description of the compartments in which the filter strip research program is to be carried out; and
 - (b) identify the variations to harvesting and log extraction techniques to be assessed; and
 - (c) a 1:15 000 topographic map identifying the locations of the drainage lines; and
 - (d) itemised timeframe for the program; and
 - (e) methods to be used in analysing the results of the filter strip research program; and
 - (f) reporting requirements for the results of the filter strip research program.
- 22.5 All forestry activities carried out by State Forests associated with the filter strip research program specified in condition 22.3 must be conducted in accordance with the methods negotiated and approved by the EPA.
- 22.6 Site-specific locations identified in condition 22.4(a) and (c) of this licence will be exempt from conditions 17, 18, 19, 20 and 21 of Schedule 4 of this licence. No exemptions to these licence conditions will apply to other areas which are outside the drainage lines identified in condition 22.4(c) of this licence.
- 22.7 Any timber harvested from filter strips included in the trial is available to State Forests.
- 22.8 At the completion of the filter strip research program, State Forests must prepare a report on the results of the program to a protocol agreed to by the EPA.
- 22.9 The EPA may direct State Forests to provide written reports on any matter relating to the filter strip research program specified in this licence.

[2] **Dictionary**

*Definition of “machinery” deleted and replaced. Previously defined as:
“machinery” means all mechanical equipment used in the forest except chainsaws.*

Definitions for “crown”, “mechanical harvester”, “operational zone”, “protection zone”, “sidecut”, “timber logs”, and “unmapped drainage line” added.

[3] Schedule 1 Part B Operational Map Requirements

Condition B2 deleted and replaced. Previously stated:

B2. filter strip widths for all identified watercourses and drainage lines within the compartment or roading area.

[4] Schedule 2 Part A

Condition modified.

Words “filter strips and buffer strips” deleted and replaced with “filter strips, protection zones, operational zones and buffer strips”.

[5] Schedule 3 Module 1, 1.4 – Step 4: Determination of net harvestable area

Condition modified.

Words “filter strips” deleted and replaced with “filter strips, protection zones and operational zones”.

[6] Schedule 4 (D. Protection of Drainage Features) Condition 6

Condition deleted and replaced. Previously stated:

6. Filter strips must be retained along all drainage lines, prescribed streams and watercourses and must have a minimum width in accordance with Table 1.

Table 1: Minimum filter strip width for mapped and unmapped drainage lines, prescribed streams and watercourses in native forests (metres – measured along the ground surface).

| Stream Order | Inherent Hazard Level 1 | Inherent Hazard Level 2 | Inherent Hazard Level 3 |
|-----------------------------|--------------------------------|--------------------------------|--------------------------------|
| Unmapped | 10 | 10 | 15 |
| 1st order | 10 | 15 | 20 |
| 2nd order | 15 | 20 | 25 |
| 3rd order or greater | 20 | 25 | 30 |

[7] Schedule 4 (D. Protection of Drainage Features) Condition 7

Condition deleted and replaced. Previously stated:

7. The determination of stream order for the purposes of Table 1 must be carried out in accordance with part B of Schedule 2 of this licence.

[8] Schedule 4 (D. Protection of Drainage Features) Condition 14.

Conditions added.

[9] Schedule 4 (D. Protection of Drainage Features) Condition 19

Condition deleted and replaced. Previously stated:

19. Where a tree is felled into a filter strip, then no part of that tree can be removed from the filter strip.

[10] Schedule 4 (D. Protection of Drainage Features) Condition 20

Conditions added.

[11] Schedule 4 (E. Borrow Pits and Gravel Pits) Condition 25

Condition deleted and replaced. Previously stated:

25. Borrow pits and gravel pits must be located outside filter strips.

[12] Schedule 4 (F. Log Dumps) Condition 27-32

Conditions deleted and replaced. Previously stated:

LOCATION

27. Log dumps must be located outside filter strips and buffer strips.
28. For land classified as inherent hazard level 2, log dumps must be located at least 10 metres from the boundary of a filter strip, unless the construction of the log dump at least 10 metres from the boundary of the filter strip would result in additional excavation compared to a log dump located closer to the filter strip.
29. For land classified as inherent hazard level 3, log dumps must be located at least 20 metres from the boundary of a filter strip, unless the construction of the log dump at least 20 metres from the boundary of the filter strip would result in additional excavation compared to a log dump located closer to the filter strip.

DEBRIS MANAGEMENT

30. Debris from log dumps must be located outside of filter strips and buffer strips.
31. For land classified as inherent hazard level 2, debris from log dumps must be located at least 5 metres from the boundary of filter strips.
32. For land classified as inherent hazard level 3, debris from log dumps must be located at least 15 metres from the boundary of filter strips.

[13] Schedule 4 (G. Burning) Conditions 34 and 35

Conditions deleted and replaced. Previously stated:

34. Post-harvest burning must be carried out in a manner that avoids burning the filter strip to the greatest extent practicable. Deliberate or negligent burning of filter strips must not occur.
35. Where a post-harvest burn has intruded into a filter strip, State Forests must put in place soil erosion and sediment control measures within 5 days to prevent water pollution.

[14] Schedule 4 (H. Snig tracks and extraction tracks) Condition 39

Condition deleted and replaced. Previously stated:

39. Spoil from snig track or extraction tracks construction, upgrading or maintenance must not be placed in filter strips or buffer strips.

[15] Schedule 4 (H. Snig tracks and extraction tracks) Condition 55

Condition deleted and replaced. Previously stated:

55. The construction, upgrading and maintenance of drainage feature crossings must restrict disturbance of vegetation and groundcover in the filter strip or buffer strip to a maximum length of 3 metres upstream and downstream of the crossing. Where clearing beyond 3 metres is necessary during construction, upgrading and maintenance of drainage feature crossings, State Forests may approve additional clearing, and must document the approval and the reasons why it was necessary. This documentation must be kept on file at the Regional Office.

[16] Schedule 4 (I. Storage and handling of hazardous substances and waste) Condition 84

Condition deleted and replaced. Previously stated:

84. Mobile fuel tanks must not be located within, or within 10 metres of the boundary of a filter strip.

[17] Schedule 5 Roads Condition 6

Condition deleted and replaced. Previously stated:

6. Substantial tree debris resulting from road construction, upgrading or maintenance operations must be placed outside the boundary of filter strips.

[18] Schedule 5 (H. Road batters) Condition 33

Condition deleted and replaced. Previously stated:

33. Where during road construction, the toe of a fill batter intrudes into a filter strip, site-specific mitigating techniques must be employed to prevent water pollution to the greatest extent practicable.

[19] Schedule 5 (J. Drainage feature crossings) Condition 47

Condition deleted and replaced. Previously stated:

47. The construction and maintenance of drainage feature crossings must restrict disturbance of vegetation and groundcover in the filter strip or buffer strip to a maximum length of 3 metres upstream and downstream of the crossing. Where clearing beyond 3 metres is necessary during construction and maintenance of drainage feature crossings, State Forests may approve additional clearing a document the approval and the reasons why it is necessary.

[20] Schedule 5 (J. Drainage feature crossings) Condition 51

Condition deleted and replaced. Previously stated:

51. Spoil from road construction, upgrading and maintenance operations must not be placed in filter strips or buffer strips.

[21] Schedule 6 (Information that must be recorded during scheduled or non-scheduled forestry activities) Condition 3e

Condition added.

AMENDMENT 2

(28 April 2003)

Terms of Licence under the Threatened Species Conservation Act 1995

[1] Definitions and Abbreviations

Definitions for the following have been deleted and replaced. Previously defined as:

“Buffer zone” means a protective area where specified harvesting activities may only be conducted if in accordance with the relevant condition.

“Harvesting machinery” means all self-propelled mechanical equipment used in the forest for harvesting operations.

“High Conservation Value Old Growth Forest” means those areas:

- i. depicted in the spatial data layers of the ESRI Grid files called “hcvog1_prctcd” in the sub-directory “Protected_HCVOG”, located on the CD ROM labelled “labelled “Upper North East Region and Lower North East Region Integrated Forestry Operations Approvals Appendix B: Threatened Species Licence” created on 21 December 1999 (held on the DUAP Data Archive and State Archive); and
- ii. further described in the corresponding metadata for that spatial data layers located on the CD ROM labelled “Upper North East Region and Lower North East Region Integrated Forestry Operations Approvals Appendix B: Threatened Species Licence” created on 21 December 1999 (held on the DUAP Data Archive and State Archive).

“Net logging area” means, unless specified, the gross area of a compartment less Preferred Management Priority or subsequent Forest Management Zones where timber harvesting is prohibited, Stream Exclusion Zones, Ridge and Headwater Habitat exclusion zones, Rainforest, Rainforest exclusion zones, High Conservation Value Old Growth Forest and Rare Non-commercial Forest Types.

“Potential Habitat” where it relates to fauna means:

- i. modeled habitat; OR
- ii. “macrohabitat” and “microhabitat” within the species “distribution”, all as defined in Schedule 4 of this licence.

Definitions for “Brush-tailed Phascogale habitat Category 1”, “Brush-tailed Phascogale habitat Category 2”, “Crown”, “Directional felling”, “Mechanical harvester”, “Protection zone”, “Protection zones (hard)”, “Protection Zone (soft)”, “Timber logs”, “Snigging”, and “Walk-over” added.

[2] Condition 2.3 Accidental felling of trees

Condition added.

[3] Condition 3a) Planning Documentation

Condition deleted and replaced. Previously stated:

- a) SFNSW must prepare planning documentation that demonstrates that operational planning has taken account of the requirements of the conditions of this licence. This must include showing all exclusion zones and buffer zones on the relevant harvesting plan operational map, except where the scale of the map does not allow small area features to be adequately represented; in which case the location of the zone should be adequately indicated. The harvesting plan operational map legend must, to the greatest extent practicable, indicate to which feature or species the exclusion of buffer zones relates.

[4] Condition 4.1.a) Reporting and Information Requirements

Condition deleted and replaced. Previously stated:

- a) Harvesting Plans or Operational Plans, approved by the relevant SFNSW Regional manager, pre-logging and Pre-roading Survey Reports, registers and maps showing exclusion zones, as required by NPWS within ten working days of the request.

[5] Condition 5.1.a) Operational Requirements

Condition deleted and replaced. Previously stated:

- a) For all exclusion zones implemented under the conditions of this licence the following must apply (except where otherwise indicated in this licence):
 - i. All specified forestry activities are prohibited in exclusion zones. In the case of exclusion zones surrounding wetlands, except for SEPP 14 wetlands, harvesting of tea tree oil is permitted as per conditions 5.9 Wetlands and condition 5.19 Tea Tree Protection of this licence.
 - ii. Trees must not be felled into exclusion zones. If a tree falls into an exclusion zone, then no part of that tree can be removed from the exclusion zone.

(Note: NPWS does not intend to take proceedings where SFNSW can demonstrate that the tree was accidentally felled into the exclusion zone. The tree will not be considered to have been accidentally felled if the felling is a result of poor judgement on the part of the faller.)

- iii. Harvesting machinery is prohibited from operating in exclusion zones, except for
 - 1. road re-opening and routine road maintenance;
 - 2. the construction and operation of roads and snig tracks in accordance with conditions 5.1 (b), 5.3 (d), 5.4 (e), 5.5 (d) and 5.7 (i); and
 - 3. the traversing of exclusion zones on existing roads.

[6] Condition 5.1.b) Operational Requirements

Condition deleted and replaced. Previously stated:

- b) The construction and operation of tracks used for the purposes of snigging and roads in exclusion zones implemented under the following conditions 5.13 Bird Nest and Roost Site Protection, 5.14 Bat Roost Protection, 6.1 Pouched Frog, 6.2 Green and Golden Bell Frog, 6.3 Giant Barred Frog, Fleay's Frog, Stuttering Frog, 6.4 *Phyloria* spp, 6.5 White-crowned Snake, 6.6 Pale-headed Snake, 6.7 Albert's Lyrebird, 6.8 Marbled Frogmouth, 6.9 Powerful Owl, Masked Owl, Barking Owl, 6.10 Rufous Scrub-bird, 6.12 Brush-tailed Phascogale, 6.13 Hastings River Mouse, 6.14 Koala, 6.15 Spotted-tailed Quoll, 6.16 Squirrel Glider, 6.17 Yellow-bellied Glider, 6.18 Wombat, 6.20 Golden-tipped Bat, 6.21 Large-footed Myotis, 6.22 Threatened Flora, 6.23 Threatened Flora, 6.24 Threatened Flora, 6.25 Threatened Flora, 6.26 Threatened Flora and 6.28 Threatened Flora that are contained within areas of High Conservation Value Old Growth Forest referred to in Condition 5.3, Rainforest and exclusion zones around warm temperate Rainforest referred to in condition 5.4, Rare Non Commercial Forest Types referred to in condition 5.5 or Stream Exclusion Zones referred to condition 5.7 is only permitted with the prior written approval of the NPWS. Matters that SFNSW must address in order to seek NPWS approval are detailed in Schedule 6 of this licence.

[7] Condition 5.2.c) vi Koala Mark-up Searches

Condition revoked.

- iv If, while conducting the Star search any of the features listed in condition 5.2.2 (c) i. above are located along a transect, the original Star search must be completed and another Star search must begin from this point or area.

[8] Condition 5.3 High Conservation Value Old Growth Forest

Condition deleted and replaced. Previously stated:

- a) Specified forestry activities, except road and snig track construction in accordance with condition 5.3 (d), and road re-opening, are prohibited within all areas of High Conservation Value Old Growth Forest.
- b) Trees must not be felled into High Conservation Value Old Growth Forest. If a tree falls into an area of High Conservation Value Old Growth Forest, then no part of that tree can be removed from that area.

(Note: NPWS does not intend to take proceedings where SFNSW can demonstrate that the tree was accidentally felled into areas of High Conservation Value Old Growth Forest. The tree will not be considered to have been accidentally felled if the felling is a result of poor judgement on the part of the faller.)

- c) Harvesting machinery is prohibited within areas of High Conservation Value Old Growth Forest, except for the purpose of routine road maintenance, road and snig track construction in accordance with condition 5.3 (d) and road re-opening.
- d) A road and snig track may be constructed, and snigging may be carried out, in any area that is, or is within, High Value Conservation Old Growth Forest, but only where:
- i. there is no practicable alternative site available for the purposes of the road or snigging;

- ii. there has been no record made of any threatened species on the site of the proposed construction or snigging;
 - iii. prior to the construction or snigging, the SFNSW Regional Manager that is responsible for managing the land on which the construction or snigging is proposed to be carried out (or a more senior officer), has prepared a report addressing the matters in Schedule 6 of this licence and has authorised the construction or snigging in writing;
 - iv. all practicable measures are taken to minimise any adverse impacts of the construction or snigging on the environment; and
 - v. such areas are not in exclusion zones relating to threatened species referred to in condition 5.1 (b) unless carried out in accordance with condition 5.1 (b).
- (e) A copy of the written approval of the SFNSW Regional Manager must be faxed to NPWS, which address the matters raised in Schedule 6 of this licence, as soon as possible after the approval has been issued.
- (f) In the construction and the operation of snig tracks in High Conservation Value Old Growth Forest in accordance with condition 5.3 (d), hollow-bearing trees must not be used as pivot or bumper trees for moving logs.
- (g) Where an exclusion zone referred to in condition 5.1 (b) as it relates to a threatened species is located either wholly or partially within an area of High Conservation Value Old Growth Forest , then SFNSW is only permitted to construct roads and snig tracks in accordance with condition 5.1 (b).
- (h) The boundary on the ground of High Conservation Value Old Growth Forest must be identified using the line work as depicted in the spatial data layers of the ESRI Grid files called “hcvog1_prtctd” in the sub-directory “Protected_HCVOG”, located on the CD ROM labelled “Upper North East Region and Lower North East Region Integrated Forestry Operations Approvals Appendix B: Threatened Species Licence” created on 21 December 1999 (held on the DUAP Data Archive and State Archive).

[9] Condition 5.4.c) Rainforest

Conditions added.

[10] Condition 5.4.e) Rainforest

Condition deleted and replaced. Previously stated:

- e) A road and snig track may be constructed, and snigging may be carried out, in any area that is, or is within, Rainforest, but only where:
- i. there is no practicable alternative site available for the purposes of the road or snigging;
 - ii. there has been no record made of any threatened species on the site of the proposed construction or snigging;
 - iii. prior to the construction or snigging, the SFNSW Regional Manager that is responsible for managing the land on which the construction or snigging is proposed to be carried out (or a more senior officer), has prepared a report

addressing the matters in Schedule 6 of this licence and has authorised the construction or snigging in writing;

- iv. all practicable measures are taken to minimise any adverse impacts of the construction or snigging on the environment; and
- v. such areas are not in exclusion zones relating to threatened species referred to in condition 5.1 (b) unless carried out in accordance with condition 5.1 (b).

[11] Condition 5.5 Rare Non-commercial Forest Types

Condition deleted and replaced. Previously stated:

- a) Specified forestry activities, except road and snig track construction in accordance with condition 5.5 (d), road re-opening and harvesting of tea tree oil, are prohibited within all Rare Non-Commercial Forest Types.
- b) Trees must not be felled into Rare Non-Commercial Forest Types. If a tree falls into an area of Rare Non-Commercial Forest Type, then no part of that tree can be removed from that area.

(Note: NPWS does not intend to take proceedings where SFNSW can demonstrate that the tree was accidentally felled into the Rare Non-Commercial Forest Type. The tree will not be considered to have been accidentally felled in the felling is a result of poor judgement on the part of the faller.)

- c) Harvesting machinery is prohibited within areas of Rare Non-Commercial Forest Types, except for the purpose of routine road maintenance, road and snig track construction in accordance with condition 5.5 (d) and road re-opening.
- d) A road and snig track may be constructed, and snigging may be carried out, in any area that is, or is within, Rare Non-Commercial Forest Types, but only where:
 - i. there is no practicable alternative site available for the purposes of the road or snigging;
 - ii. there has been no record made of any threatened species on the site of the proposed construction or snigging;
 - iii. prior to the construction or snigging, the SFNSW Regional Manager that is responsible for managing the land on which the construction or snigging is proposed to be carried out (or a more senior officer), has prepared a report addressing the matters in Schedule 6 of this licence and has authorised the construction or snigging in writing;
 - iv. all practicable measures are taken to minimise any adverse impacts of the construction or snigging on the environment; and
 - v. such areas are not in exclusion zones relating to threatened species referred to in condition 5.1 (b) unless carried out in accordance with condition 5.1 (b).
- f) A copy of the written approval of the SFNSW Regional Manager must be faxed to NPWS, which address the matters raised in Schedule 6 of this licence, as soon as possible after the approval has been issued.
- g) In the construction and the operation of snig tracks in Rare Non-Commercial Forest Types in accordance with condition 5.5 (d), hollow-bearing trees must not be used as pivot or bumper trees for moving logs.

- e) Where an exclusion zone referred to in condition 5.1 (b) as it relates to a threatened species is located either wholly or partially within an area of Rare Non-Commercial Forest Type, then SFNSW is only permitted to construct roads and snig tracks in accordance with condition 5.1 (b).
- f) Harvesting of tea tree oil must comply with condition 5.19 Tea-tree Protection of this licence.

[12] Condition 5.7 Stream Exclusion Zones

Condition (including heading) deleted and replaced. Previously stated:

5.7 Stream Exclusion Zones

- a) Exclusion zones of at least ten metres wide must be implemented on both sides of all first order streams.
- b) Exclusion zones of at least 20 metres wide must be implemented on both sides of all second order streams.
- c) Exclusion zones of at least 30 metres wide must be implemented on both sides of all third order streams.
- d) Exclusion zones of at least 50 metres wide must be implemented on both sides of all fourth and higher order streams.
- e) The width of stream exclusion zones must be measured from the top of the bank of the incised channel or, where there is no defined bank, from the edge of the channel.
- f) Specified forestry activities, except road and snig track construction in accordance with condition 5.7 (i) and road re-opening, are prohibited within Stream Exclusion Zones implemented under conditions 5.7 (a), (b), (c) and (d) above.
- g) Trees must not be felled into Stream Exclusion Zones. If a tree falls into an area of Stream Exclusion Zone, then no part of that tree can be removed from that area.

(Note: NPWS does not intend to take proceedings where SFNSW can demonstrate that the tree was accidentally felled into the Stream Exclusion Zone. The tree will not be considered to have been accidentally felled in the felling is a result of poor judgement on the part of the faller.)

- h) Harvesting machinery is prohibited within areas of Stream exclusion zones, except for the purpose of routine road maintenance, road and snig track construction in accordance with condition 5.7 (i) and road re-opening.
- i) A road and snig track may be constructed, and snigging may be carried out, in any area that is, or is within, Stream exclusion zones, but only where:
 - i. there is no practicable alternative site available for the purposes of the road or snigging;
 - ii. there has been no record made of any threatened species on the site of the proposed construction or snigging;
 - iii. prior to the construction or snigging, the SFNSW Regional Manager that is responsible for managing the land on which the construction or snigging is proposed to be carried out (or a more senior officer), has prepared a report addressing the matters in Schedule 6 of this licence and has authorised the construction or snigging in writing;

- iv. all practicable measures are taken to minimise any adverse impacts of the construction or snigging on the environment; and
 - v. such areas are not in exclusion zones relating to threatened species referred to in condition 5.1 (b) unless carried out in accordance with condition 5.1 (b).
- j) A copy of the written approval of the SFNSW Regional Manager must be faxed to NPWS, which address the matters raised in Schedule 6 of this licence, as soon as possible after the approval has been issued.
 - k) In the construction and the operation of snig tracks in Stream exclusion zones in accordance with condition 5.7 (i), hollow-bearing trees must not be used as pivot or bumper trees for moving logs.
 - l) Where an exclusion zone referred to in condition 5.1 (b) as it relates to a threatened species is located either wholly or partially within a Stream exclusion zone, then SFNSW is only permitted to construct roads and snig tracks in accordance with condition 5.1 (b).

[13] Condition 5.8 Ridge and Headwater Habitat exclusion zones

Condition deleted and replaced. Previously stated:

- a) For every 500 hectares of areas within the Upper North East Region as identified in the IFOA, SFNSW must implement:
 - i. A minimum of two exclusion zones at least 40 metres wide which connect second order streams,
 - OR
 - ii. A minimum of one exclusion zone at least 80 metres wide which connects third order streams.
- b) Exclusion zones implemented under condition 5.8 (a) i and ii above must, wherever possible, establish links between streams of different third order catchments.
- c) Where the Ridge and Headwater Habitat exclusion zones do not link different third order streams, a minimum length of 250 metres must be established for each exclusion zone in condition 5.8 (a) i. (eg. total length 500 metres), or a 500 metres minimum length established for the exclusion zone in condition 5.8 (a) ii.
- d) Exclusion zones implemented under condition 5.8 (a) above should connect the relevant second or third order stream via the associated lower order stream(s). Areas of identified High Conservation Value Old Growth Forest, Rare Non-commercial Forest Types and Rainforest may be used as the basis of exclusion zones.
- e) Ridge and Headwater Habitat must not, to the greatest extent practicable, cross existing roads.
- f) Specified forestry activities, with the exception of road construction and road re-opening where there is no other practical means of access, are prohibited in these exclusion zones.

[14] Condition 5.9 i) Wetlands

Conditions added.

[15] Condition 5.11 Rocky Outcrops and Cliffs

Conditions added.

[16] Condition 5.13 Bird Nest and Roost Site Protection

Condition deleted and replaced. Previously stated:

- a) The following exclusion zones must be applied around nest and roost sites:
- i. Powerful Owl nest.....50 metres radius
 - ii. Powerful Owl roost30 metres radius
 - iii. Masked Owl nest.....50 metres radius
 - iv. Masked Owl roost30 metres radius
 - v. Sooty Owl nest50 metres radius
 - vi. Sooty Owl roost.....30 metres radius
 - vii. Barking Owl nest.....50 metres radius
 - viii. Barking Owl roost30 metres radius
 - ix. Bush Stone-Curlew nest100 metres radius
 - x. Albert’s Lyrebird nest100 metres radius
 - xi. Glossy Black-Cockatoo nest50 metres radius
 - xii. Turquoise Parrot nest30 metres radius
 - xiii. Osprey nest.....100 metres radius
 - xiv. Square-tailed Kite nest100 metres radius
 - xv. Regent Honeyeater nest.....20 metres radius
- b) Where nests and roosts of Powerful Owl, Masked Owl, Sooty Owl and Barking Owl are recorded after the development of a landscape approach for an area, and they occur outside areas retained as part of that landscape approach, the appropriate exclusion zone in condition 5.13 (a) above must be implemented around the roost or nest.
- c) Nest exclusion zones for the following species must be implemented for the duration of this licence: Powerful Owl, Masked Owl, Sooty Owl, Barking Owl and Osprey.
- d) Nest exclusion zones for the following species may be removed where surveys conducted during two consecutive breeding seasons establish to the satisfaction of the NPWS that the nest or nest site is not being used: Square-tailed Kite, Albert’s Lyrebird, Regent Honeyeater, Glossy Black-Cockatoo, Bush Stone-Curlew and Turquoise Parrot.
- e) Trees which contain raptor nests, other than those referred to in condition 5.13 (a) above, must be retained and marked for retention. During harvesting operations, the potential for damage to these trees must be minimised by utilising techniques of directional felling.

- f) When ten Glossy Black-Cockatoo nests are recorded on SFNSW estate over a two year period separated by at least two kilometres within a 15 kilometres radius, SFNSW may apply to the NPWS for a review of this condition.

(Note: The NPWS will advise SFNSW of the recommendation, made by NPWS in relation to condition 5.13 (f) above, to the relevant Ministers, prior to consideration by the relevant Ministers.)

[17] Condition 5.17 c) ii Ground Habitat Protection

Condition deleted and replaced. Previously stated:

- ii. Firewood must not be collected from within exclusion zones implemented under the conditions of this licence to protect the following features: High Conservation Value Old Growth Forest, Rainforest, Rare Non-Commercial Forest Types and Stream Exclusion Zones.

[18] Condition 5.20 b) and c) Miscellaneous Forestry Operations

Conditions deleted and replaced. Previously stated:

- a) When conducting and / or supervising miscellaneous forestry operations, SFNSW must implement conditions 5.1 Operation Requirements, 5.3 High Conservation Value Old Growth Forest, 5.4 Rainforest, 5.7 Stream Exclusion Zones, 5.8 Ridge and Headwater Habitat, 5.9 Wetlands, 5.10 Heath and Scrub, 5.11 Rocky Outcrops and Cliffs, 5.12 Threatened Frog General Protection Measures, 5.13 Bird Nest and Roost Site Protection and 5.14 Bat Roost Protection of this licence in areas where these operations are conducted.
- b) Miscellaneous forestry operations are prohibited in exclusions zones established under the requirements of conditions 5.4 Rainforest, 5.7 Stream Exclusion Zones, 5.8 Ridge and Headwater Habitat, 5.9 Wetlands, 5.10 Heath and Scrub, 5.11 Rocky Outcrops and Cliffs, 5.13 Bird Nest and Roost Site Protection, 5.14 Bat Roost Protection, 6.9 Powerful Owl, Masked Owl, Barking Owl, 6.12 Brush-tailed Phascogale, 6.13 Hastings River Mouse and 6.16 Squirrel Glider, of this licence.

[19] Condition 5.21 Exclusion Zone Research Program

Condition revoked.

- (a) SFNSW are exempt from the operation of Conditions 5.3 High Conservation Value Old Growth Forest, 5.4 Rainforest, 5.5 Rare Non-Commercial Forest Types, 5.7 Stream Exclusion Zones, 5.8 Ridge and Headwater Habitat, 5.9 Wetlands, 5.10 Heath and Scrub and 5.11 Rocky Outcrops in compartments where:
- i. SFNSW carry out a research program in accordance with condition 22 of the terms of the licence under the *Protection of the Environment Operations Act 1997* (Appendix A of the IFOA) that has been approved by the NPWS;
 - ii. SFNSW have consulted with and accepted the guidance of NPWS in the development of the program;
 - iii. All activities directly associated with the conduct of the research program must be conducted in accordance with the methodology, location and extent approved by the NPWS; and

- (b) The inclusion of species-specific exclusion zones and buffers must be determined by SFNSW and the NPWS following the completion of the “Timber Availability Study – Impact of Licence Conditions” and before the commencement of the research program.
- (c) The research program must include a representative sample of compartments state-wide and provide as a minimum the following details:
 - i. A site-specific description of the compartment in which the research program is to be carried out;
 - ii. Results of pre-logging and pre-roading surveys carried out in accordance with condition 8 of this licence in compartments in which the research program is to be carried out;
 - iii. A 1:15,000 topographic map identifying the locations of all exclusion zones required by this licence and the locations of those exclusion zones affected by the research program;
 - iv. The variations to harvesting operations and log extraction techniques to be assessed in the research program;
 - v. An itemised timeframe for the research program;
 - vi. Methods to be used in analysing the results of the research program; and
 - vii. Reporting requirements for the results of the research program.
- (d) SFNSW must prepare a report of the results of the research program in accordance with the protocol determined by the NPWS.
- (e) SFNSW is to prepare and submit a report to NPWS on any matter relating to the research program as requested by the NPWS.
- (f) Hollow-bearing trees must be retained in site-specific locations will be carried out in accordance with condition 5.6 of this licence where the research program where the research program will be carried out as identified in condition 5.21 (c).

[20] Condition 6.9 e) – j) Powerful Owl *Ninox strenua*, Masked Owl *Tyto novaehollandiae*, Barking Owl *Ninox connivens*

Conditions added.

[21] Condition 6.12 Brush-tailed Phascogale

Condition deleted and replaced. Previously stated:

Where there is a Brush-tailed Phascogale record in a compartment or within 600 metres outside the boundary of the compartment (unless otherwise specified in this condition), the following must apply:

- a) A 600 metres radius planning area must be identified. This planning area must be centred on the record or records of Brush-tailed Phascogale. The radius of the planning area must be measured from the record. Where there is more than one record the radius of the planning area must be measured from a point located equidistant from the majority of the records, where possible.
- b) Within this planning area an exclusion zone, or exclusion zones, totalling 50 hectares must be implemented.

- c) Where there are records of Brush-tailed Phascogale dens, these must be contained within exclusion zones. Planning and placement of exclusion zones should maximise the inclusion of other types of Brush-tailed Phascogale records within exclusion zones.
- d) The exclusion zone must encompass Category 1 habitat available in the planning area. In the event that there is not sufficient area of Category 1 habitat to meet the requirements of condition 6.12 (b) above, Category 2 habitat must be utilised. In the event that there is not sufficient area of Category 1 and 2 habitat to meet the requirements of condition 6.12 (b) above, Category 3 habitat must be utilised. In the event that there is not sufficient area of Category 1, Category 2 and Category 3 habitat to meet the requirement of condition 6.12 (b) above, Category 4 habitat must be utilised. In the event that there is not sufficient area of Category 1, Category 2, Category 3 and Category 4 habitat to meet the requirement of condition 6.12 (b) above, Category 5 habitat must be utilised.
- e) Habitat qualities are ranked as follows (from highest to lowest):
 - i. Category 1: Class 1 modelled habitat;
 - ii. Category 2: Class 2 modelled habitat;
 - iii. Category 3: High Conservation Value Old Growth Forest;
 - iv. Category 4: Class 3 modelled habitat; and
 - v. Category 5: any other areas of suitable habitat.
- f) Modelled habitat and High Conservation Value Old Growth Forest occurring in statutory reserves within the 600 metres radius may be used to meet the exclusion zone requirements, where it is consistent with the requirements of condition 6.12 (c) and (d) above.
- g) The shape of exclusion zones should minimise the boundary to area ratio. Where appropriate, exclusion zones should be circular in shape. Long and linear strips should be avoided where possible.

(Note: Circular or compact areas have the lowest boundary to area ratio, while linear or fragmented ones the highest. Areas which generally conform to a circular or square shape have a low boundary to area ratio. As a guide, "low" could be considered to be an area where the longer axis of the area is less than twice as long as the shorter axis.)

- h) Where there are two or more Brush-tailed Phascogale records consecutively less than 600 metres apart but collectively spreading over an area greater than 600 metres in any direction then advice on the location of the planning area must be sought from the NPWS.
- i) If a record of Brush-tailed Phascogale is on private property within 200 metres of SFNSW estate, then the equivalent of a 600 metres radius planning area must be located on public land as close as possible to the record.
- j) When ten of these sites are recorded on SFNSW estate over a two year period separated by at least two kilometres within a 15 kilometres radius, SFNSW may apply to NPWS for a review of this condition.

(Note: The NPWS will advise SFNSW of the recommendation, made by NPWS in relation to condition 6.12(j) above, to the relevant Ministers, prior to consideration by the relevant Ministers.)

[22] Condition 6.13 Hastings River Mouse *Pseudomys oralis*

Condition deleted and replaced. Previously stated:

Where there is a record of the Hastings River Mouse in the compartment or within 800 metres outside the boundary of the compartment the following must apply:

- a) Within 800 metres of a record of Hastings River Mouse, specified forestry activities are prohibited from all areas assessed as Hastings River Mouse habitat of moderate or high suitability.
- b) An exclusion zone of at least 200 metres radius must be implemented around all records of Hastings River Mouse. This minimum exclusion zone must be applied where Hastings River Mouse habitat within 200 metres of the record is assessed as being unsuitable habitat.

Suitability of Hastings River Mouse habitat must be assessed according to condition 8.8.9A of this licence.

[23] Condition 6.14 d) – i) Koala *Phascolarctos cinereus*

Conditions added.

[24] Condition 6.15 Spotted-tailed Quoll *Dasyurus maculatus*

Condition deleted and replaced. Previously stated:

Where there is a record of Spotted-tailed Quoll in the compartment or within five kilometres outside the boundary of the compartment, the following must apply:

- a) An exclusion zone of at least 12 hectares must be implemented around Spotted-tailed Quoll maternal den sites. This exclusion zone must be linked to Stream Exclusion Zones implemented in condition 5.7.
- b) An exclusion zone of at least 3.5 hectares must be implemented around Spotted-tailed Quoll permanent den sites. This exclusion zone must be linked to Stream Exclusion Zones implemented in condition 5.7.
- c) An exclusion zone of at least 12 hectares must be implemented around Spotted-tailed Quoll latrine sites.
- d) Planning and placement of exclusion zones referred to in condition 6.15 (a), (b) and (c) above must maximise the inclusion of Spotted-tailed Quoll records.
- e) Stream Exclusion Zones must not be counted towards exclusion zones referred to in condition 6.15 (a) and b) above.

[25] Condition 6.16 Squirrel Glider *Petaurus norfolcensis*

Condition deleted and replaced. Previously stated:

Where there is a Squirrel Glider record in a compartment or within 250 metres outside the compartment boundary (unless specified otherwise in this condition), the following must apply:

- a) A 250 metres radius planning area must be identified. This planning area must be centred on the record, or records, of the Squirrel Glider. The radius of the planning area must be measured from the record. Where there is more than one

record the radius of the planning area must be measured from a point located equidistant from the majority of records, where possible.

- b) Within this planning area an exclusion zone, or exclusion zones, totalling eight hectares must be implemented.
- c) Where there are records of Squirrel Glider dens, these must be contained within exclusion zones. Planning and placement of exclusion zones should maximise the inclusion of other types of Squirrel Glider records within exclusion zones.
- d) The exclusion zone must encompass Category 1 habitat available in the planning area. In the event that there is not sufficient area of Category 1 habitat to meet the requirements of condition 6.16 (b) above, Category 2 habitat must be utilised. In the event that there is not sufficient area of Category 1 and 2 habitat to meet the requirements of condition 6.16 (b) above, Category 3 habitat must be utilised. In the event that there is not sufficient area of Category 1, Category 2 and Category 3 habitat to meet the requirement of condition 6.16 (b) above, Category 4 habitat must be utilised. In the event that there is not sufficient area of Category 1, Category 2, Category 3 and Category 4 habitat to meet the requirement of condition 6.16 (b) above, Category 5 habitat must be utilised.
- e) Habitat categories are ranked as follows (from highest to lowest):
 - i. Category 1: Class 1 modelled habitat;
 - ii. Category 2: Class 2 modelled habitat;
 - iii. Category 3: High Conservation Value Old Growth Forest;
 - iv. Category 4: Class 3 modelled habitat;
 - v. Category 5: any other areas of suitable habitat.
- f) Modelled habitat and High Conservation Value Old Growth Forest occurring in statutory reserves within the 250 metres radius may be used to meet the exclusion zone requirements, where it is consistent with the requirements of condition 6.16 (c) and (d) above.
- g) The shape of exclusion zones should minimise the boundary to area ratio. Where appropriate, exclusion zones should be circular in shape. Long and linear strips should be avoided where possible.

(Note: Circular or compact areas have the lowest boundary to area ratio, while linear or fragmented ones the highest. Areas which generally conform to a circular or square shape have a low boundary to area ratio. As a guide, "low" could be considered to be an area where the longer axis of the area is less than twice as long as the shorter axis.)

- h) Where there are two or more Squirrel Glider records consecutively less than 250 metres apart but collectively spreading over an area greater than 250 metres in any direction then advice on the location of the planning area must be sought from the NPWS.
- i) If a Squirrel Glider record is on private property within 100 metres of SFNSW estate, then the equivalent of a 250 metres radius planning area must be located on public land as close as possible to the record.
- j) When ten of these sites are recorded on SFNSW estate over a two year period separated by at least two kilometres within a 15 kilometres radius, SFNSW may apply to NPWS for a review of this condition.

(Note: The NPWS will advise SFNSW of the recommendation, made by NPWS in relation to condition 6.16(j) above, to the relevant Ministers, prior to consideration by the relevant Ministers.)

[26] Condition 6.17 Yellow-bellied Glider *Petaurus australis*

Condition deleted and replaced. Previously stated:

- a) A 50 metres radius exclusion zone must be implemented around Yellow-bellied Glider dens.
- b) All Yellow-bellied Glider sap feed trees must be retained. All Yellow-bellied Glider Sap feed trees must be marked for retention.
- c) Where there is a record of a Yellow-bellied Glider in a compartment or within 100 metres outside the boundary of the compartment, the following must apply:
 - i. Within a 100 metres radius of each retained Yellow-bellied Glider sap feed tree, observation or den site record, 15 feed trees must be retained. Yellow-bellied Glider sap feed trees must not be counted towards these 15 feed trees. Retained feed trees must have good crown development and should have minimal butt damage and should not be suppressed. Mature and late mature trees must be retained as feed trees where these are available.
 - ii. Within a 200 metres radius of a Yellow-bellied Glider call detection site record, 15 feed trees must be retained. Retained feed trees must have good crown development and should have minimal butt damage and should not be suppressed. Mature and late mature trees must be retained as feed trees where these are available.
 - iii. The feed trees retained in condition 6.17 (c) i. and ii. above, must be of the same species as the identified sap feed tree or identified den tree, or should be trees that shed their bark in long strips, eg. species from Blue, Flooded, Grey, Red and White Gum groups.
 - iv. The feed trees retained in condition 6.17 (c) i. and ii. must be marked for retention.

[27] Condition 6.20 a) Golden-tipped Bat *Kerivoula papuensis*

Condition deleted and replaced. Previously stated:

- a) Exclusion zones of at least 30 metres wide must be implemented on both side of all first order streams and second order streams within a 200 metre radius of the record. Other standard Stream Exclusion Zones apply within this area.

[28] Condition 7 b) vi General Survey requirements

Condition deleted and replaced. Previously stated:

- vi ***Albert's Lyrebird:*** An exclusion zone of at least 20 metres wide must be implemented on both sides of all first order streams in the compartment. An exclusion zone of at least 30 metres wide must be implemented on both sides of all second order streams in the compartment. Specified forestry activities, with the exception of road construction and road re-opening where there is no other practical means of access, are prohibited within these exclusion zones.

[29] Condition 7 b) vii General Survey requirements

Condition deleted and replaced. Previously stated:

- vii **Marbled Frogmouth:** Exclusion zones at least 20 metres wide must be implemented on both sides of all first order streams in the compartment. Exclusion zones of at least 30 metres wide must be implemented on both sides of all second order streams in the compartment. Specified forestry activities, with the exception of road construction and road re-opening where there is no other practical means of access, are prohibited within these exclusion zones.

[30] Condition 7 b) xv General Survey requirements

Condition deleted and replaced. Previously stated:

- xv **Myotis adversus:** Exclusion zones of at least 30 metres wide must be implemented on all dams and permanent water bodies in the compartment. Permanent water bodies include lakes, lagoons, or any other permanent collection of still water that is not impounded by an artificial structure. The exclusion zone must be measured from the top of the high bank of the permanent water body. Exclusion zones of at least 30 metres wide must be implemented on all permanent streams within the compartment. The width of stream exclusion zones must be measured from the top of the bank of the incised channel or, where there is no defined bank, from the edge of the channel.

[31] Condition 7 b) xvi General Survey requirements

Condition deleted and replaced. Previously stated:

- xvi **Kerivoula papuensis:** Exclusion zones of at least 30 metres wide must be implemented on both sides of all first order streams and second order streams within the compartment. The width of exclusion zones must be measured from the top of the bank of the incised channel or, where there is no defined bank, from the edge of the channel.

[32] Condition 7 e)

Condition added.

[33] Condition 8.4 b) Survey documentation and reporting

Condition deleted and replaced. Previously stated:

- b) The Survey Report must be received by NPWS Northern Zone office within ten days of NPWS requesting the report.

[34] Condition 8.8.3 A f) Riparian frog survey

Condition deleted and replaced. Previously stated:

- f) Survey season: *Litoria piperata*: summer. *Mixophyes fleayi* and *M. balbus*: September to March. *Mixophyes iteratus*: October to February. *Philoria*

kundagungan: December to March. Other *Phyloria* species: spring to early summer (best in spring), no later than December. *Assa darlingtoni*: summer.

[35] Condition 8.8.3 B g) Non-riparian frog search

Condition deleted and replaced. Previously stated:

- g) Survey Season: *Phyloria kundagungan*: December to March. Other *Phyloria* spp.: spring to early summer (best in spring), no later than December. *Assa darlingtoni*: summer.

[36] Condition 8.8.10 A f) Subterranean roost surveys

Condition deleted and replaced. Previously stated:

- f) Survey season: October to late March.

[37] Condition 8.8.10 B f) Golden-tipped Bat *Kerivoula papuensis* and Large-Footed Myotis *Myotis adversus*

Condition deleted and replaced. Previously stated:

- f) Survey Season: Spring and summer.

[38] Schedule 6 Matters to be addressed in assessment of proposals for new roading through Rainforest, Rare Non-commercial Forest Types and protection zones

Schedule deleted and replaced. Previously stated:

When applying to construct new roads or snig tracks through Rainforest, Rare Non-Commercial Forest Types and stream exclusion zones, SFNSW must provide NPWS with a report addressing the following:

- a) All options that were considered, the cost of all options, the reasons why the selected route was chosen and why the other routes were not considered feasible;
- b) The specific reasons why the road or snig track must be established;
- c) The mitigative and ameliorative measures to be applied; and
- d) Results of the field assessment which must be undertaken and must include:
 - i. A description of the proposed road or snig track, including dimensions of area to be affected (road footprint, run-offs etc), method of construction including any cutting and filling that may be involved, and construction of any stream crossings.
 - ii. An assessment and description of any threatened flora that will or is likely to be directly or indirectly affected by construction, or occurs within 50 metres of the construction area.
 - iii. An assessment and description of any threatened fauna that
 1. will be or is likely to be directly or indirectly affected by construction, OR
 2. occurs within 100 metres of the construction area.

- iv. An assessment and description of the likelihood of the road to create a barrier to movement of threatened fauna, or is otherwise likely to increase the threats to threatened fauna.
- v. An assessment of any habitat features that will or are likely to be directly or indirectly affected by the construction, including but not confined to: wetlands or other waterbodies; and threatened species habitat.
- vi. An assessment and description of the area affected including, but not confined to:
 - 1. the type of Rainforest or Rare Non-Commercial Forest Types or Stream Exclusion Zone (according to RN17);
 - 2. a brief description of the floristics and structure of the Rainforest or Rare Non-Commercial Forest Types or Stream Exclusion Zone;
 - 3. a description of the total area of the Rainforest or Rare Non-Commercial Forest Types or Stream Exclusion Zone to be directly and indirectly affected;
 - 4. the likelihood of the road to fragment the rainforest or Rare Non-Commercial Forest Types or Stream Exclusion Zone patch; and
 - 5. whether the rainforest is SEPP 26 littoral rainforest.
- vii. An assessment of the likelihood of the construction increasing the presence or abundance of weeds or feral animals.
- viii. An assessment of past disturbance in the proposed construction area.

AMENDMENT 2

(28 April 2003)

Terms of Licence under Part 7A of the Fisheries Management Act 1994

[1] **Condition 1 (Definitions and Abbreviations)**

Definitions deleted and replaced. Previously defined as:

Buffer zone: An area where harvesting activity may be conducted in accordance with the relevant conditions.

Exclusion zone: An area here specified forestry activities are prohibited, unless specifically allowed, under the terms of this licence.

Definition of 'machinery deleted and replaced. Previously defined as:

Machinery: All mechanical equipment used in the forest except chainsaws.

Definitions added for "Directional felling", "Harvesting machinery and Harvesting machine", "Mechanical harvester", "Special operational zone" and "Wetland".

[2] **Condition 2.2 Implementation**

Condition modified.

"8.2, 8.3, 8.4 and 8.6" deleted and replaced with "7.9, 8.2, 8.3, 8.4".

[3] **Condition 6.2 b) Road and Fire Trail Management Plans**

Condition modified.

"condition 8" replaced with conditions 7 and 8".

[4] **Condition 6.3 Research into Alternative Management of Exclusion Zones (filter strips)**

Condition revoked.

- a) SFNSW may develop a research program to assess the impacts of altered management practices within and adjacent to exclusion zones, on the effectiveness of exclusion zones.
- b) The exclusion zone research program specified in condition 6.3 a) must be undertaken according proposals contained in a document titled: "An assessment on the effectiveness of filter strips subject to altered management practices within and adjacent to filter strips" as approved by the Environment Protection Authority.
- c) Site-specific locations identified in the document specified in condition 6.3 b) will be exempt from conditions 7.1 a) i, 7.1 a) iii and 7.3 a) of this licence. No exemptions to these licence conditions will apply to other areas within the compartment which are outside the exclusion zones identified in the document specified in condition 6.3 b).

- d) No exemption will apply to any exclusion zone in class 1 aquatic habitat, as defined in condition 7 of this licence.
- e) Any timber harvested from exclusion zones included in the research program is available to SFNSW.
- f) A copy of the document, as approved by the Environment Protection Authority, specified in condition 6.3 b) must be provided to NSWFW prior to commencement of the research program. Copies of all other relevant documentation related to the research program, including a report on the results of the research program, must be provided to NSWFW within two weeks of the documents being prepared.

[5] Condition 7 Definition of Class 1 aquatic habitat and Class 2 aquatic habitat

Condition modified.

Words “a watercourse” deleted and replaced with “that part of a watercourse” in conditions of class 1 aquatic habitat and Class 2 aquatic habitat.

[6] Condition 7

Additional paragraphs added following definitions.

[7] Condition 7.1 – 7.5

Conditions deleted and replaced. Previously stated:

7.1 Operational Requirements

- a) For all exclusion zones implemented under the following conditions the following must apply (except where indicated otherwise):
 - i. All specified forestry activities, other than those permitted by condition 7.3, must be excluded from exclusion zones.
 - ii. Machinery must not enter exclusion zones except in connection with activities permitted by condition 7.3.
 - iii. Trees must not be felled into exclusion zones. Where a tree is felled into an exclusion zone, then no part of that tree is to be removed from the exclusion zone.

(Note: NSWFW does not intend to take proceedings where SFNSW can demonstrate that a tree was accidentally felled into the exclusion zone. The tree will not be considered to have been accidentally felled if the felling is a result of poor judgement on the part of the faller.)

- b) Buffer zones must be managed in accordance with the relevant conditions in this licence.
- c) All distances must be measured on the ground.
- d) All exclusion zone and buffer zone boundaries must be marked in the field, except where specified forestry activities will not come within 50 metres of such boundaries.

7.2 Riparian Exclusion Zones and Buffer Zones

- a) For all watercourses in either class 1 or class 2 aquatic habitat the following conditions apply.

- b) Drainage lines:
 - i. Exclusion zones at least 10 metres wide must be implemented on both sides of all drainage lines covered by an Environment Protection Licence.
 - ii. Where there is no Environment Protection Licence coverage, exclusion zones at least 10 m wide must be implemented on both sides of all drainage lines contiguous with a mapped first order stream. Exclusion zones must start at the channel source of the drainage line and extend downstream.
 - iii. Where there is no Environment Protection Licence coverage, a buffer zone at least 5 m wide must be maintained upstream of the channel source to the up-slope extent of channelised flow.
 - iv. Where there is no Environment Protection Licence coverage, no exclusion or buffer zones are required in areas of episodic sheet flow.
- b) Exclusion zones at least 10 metres wide must be implemented on both sides of all first order streams.
- c) Exclusion zones at least 20 metres wide must be implemented on both sides of all second order streams.
- d) Exclusion zones at least 30 metres wide must be implemented on both sides of all third and higher order streams.
- e) A buffer zone at least 20 metres wide must be implemented on the external sides of all exclusion zones implemented on third and higher order streams, in accordance with condition 7.2 d), above.
- f) Riparian exclusion zones must be measured from the top of the bank of the incised channel or, where there is no defined bank, from the edge of the channel.

7.3 Activities Within Riparian Exclusion Zones and Buffer Zones

- a) Specified forestry activities, with the exception of; road construction, road maintenance, road re-opening and extraction where there is no other practical means of access, must be excluded from exclusion zones implemented in accordance with 7.2 a), b), c) and d).
- b) Specified forestry activities permitted within exclusion zones by conditions 7.3 a) must not be undertaken except in accordance with Condition 8 of this licence.
- c) Machinery operating in buffer zones implemented in accordance with 7.2 e) must not operate except in accordance with Condition 8.5 of this licence.
- d) Earthworks must not be undertaken within the buffer zones established in accordance with 7.2 e) for any purpose with the exception of road construction, road maintenance, road re-opening and extraction.

(Clarification note: specified forestry activities, except earthworks as qualified in condition 7.3 d) above, are not excluded from buffer zones established in accordance with condition 7.2 e). Condition 8.5 qualifies the mode of machinery operation in buffer zones established in accordance with condition 7.2 e).)

7.4 Wetland Exclusion Zones

- a) Wetlands are defined as a vegetated depression with a permanent, seasonal or intermittent water table at or slightly above the floor of the depression. The vegetation type in a wetland typically indicates a wetter micro-environment than the surrounding country. Wetlands also include, but may not be limited to, all areas of SEPP 14 wetlands and all areas of SFNSW Research Note 17 forest

typed swamp mahogany (FT 30), paperbark (FT 31), swamp oak (FT 32), mangrove (FT 33), swamp (FT 231), and water surfaces (FT 235).

- b) For all wetlands in either class 1 or class 2 aquatic habitat the following conditions apply.
- c) Exclusion zones at least ten metres wide must be implemented around all wetlands between 2m x 2m to 0.5 hectare (approx. 70m x 70m) surface area.
- d) Exclusion zones at least 20 metres wide must be implemented around all wetlands between 0.5 hectare (approx. 70m x 70m) and 2.0 hectares (approx. 150m x 150m) surface area.
- e) Exclusion zones at least 40 metres wide must be implemented around all SEPP 14 wetlands irrespective of size, and other wetlands greater than 2.0 hectares surface area.
- f) Exclusion zones must be measured from the edge of the wetland.
- g) Wetlands less than 0.5 hectare surface area must be marked in the field for protection and recorded as accurately as possible on harvest planning documents.

7.5 Other Water Bodies - Exclusion Zones

- a) An exclusion zone at least 10 metres wide must be implemented around any pond or dam (as separate from streams and wetlands detailed in other conditions) in either class 1 or class 2 aquatic habitat. All practical precautions must be taken to avoid felling trees into this buffer zone.
- b) Machinery, with the exception of fire fighting equipment, must not enter the exclusion zone implemented in accordance with 7.5 a).

[8] Condition 7.10 Miscellaneous Forestry Activities.

Condition modified. Renumbered from 7.6 to 7.10.

[9] Condition 7.10 (as renumbered)

Condition modified.

“Condition 8.4, 8.5 and 8.6” deleted and replaced with “condition 7.8, 7.9, 8.4”.

[10] Condition 8.1 a) Procedure for In-stream Works in Classified Aquatic Habitat

Condition modified.

“Condition 8.2, 8.4, 8.5 and 8.6” deleted and replaced with “condition 7.8, 7.9, 8.2 and 8.4”.

[11] Condition 8.2 b) Conditions for In-stream Works in Class 1 Aquatic habitat

Condition modified.

“Condition 8.3, 8.4, 8.5 and 8.6” deleted and replaced with “condition 7.8, 7.9, 8.3 and 8.4”.

[12] Condition 8.5 and 8.6

Conditions revoked.

8.5 Machinery Operation Within Buffer Zones

- a) Machinery operating in buffer zones implemented in accordance with 7.2 e) must not operate when the soil is saturated.
- b) Machinery operating in buffer zones implemented in accordance with 7.2 e) must:
 - i. use walkover techniques to the greatest extent reasonably practicable;
 - ii. prevent to the greatest extent reasonably practicable skewing of machine tracks; and
 - iii. operate with blade up at all times except when conducting earthworks in accordance with 7.3 d).

8.6 Snigging and Forwarding Operations within Exclusion Zones

- a) To the greatest extent reasonably practicable, all extraction within exclusion zones must adopt the following approach, in order of priority:
 - i. forwarding using walk-over techniques;
 - ii. forwarding, using a temporary extraction track;
 - iii. snigging using walk-over techniques;
 - iv. snigging using a temporary extraction track;
 - v. forwarding using a permanent extraction track;
 - vi. snigging using a permanent extraction track.

(Note: a permanent extraction track is, by the definitions contained in this licence, a road and must be constructed according to the requirements provided elsewhere in condition 8)

- b) Notwithstanding condition 8.6 a), extraction operations conducted in exclusion zones must prevent to the greatest extent reasonably practicable; clearing of vegetation within the exclusion zone, and disturbance to the bed and banks of any watercourse.
- c) Temporary extraction tracks must:
 - i. cross at, or as close as reasonably practicable to, right angles to the watercourse unless an angled approach reduces ground and soil disturbance, and/or clearing;
 - ii. not be used when there is runoff from the surface of the track;
 - iii. not prevent the free flow of water in the watercourse;
 - iv. not be used if water is flowing in the watercourse at any point on the track crossing.
- d) The bed and banks of temporary extraction track crossings must be immediately reinstated at the completion of their use. Reinstatement, for the purposes of this condition, includes but is not limited to; the re-shaping of the bed and banks of

the watercourse to the approximate profile that existed prior to track construction, establishment of ground cover, and removal of any material from the bed of the watercourse that was caused to be in the bed of the watercourse due to extraction operations.

- e) The location of all walk-over points and temporary extraction track crossings on a watercourse must be approved by SFNSW and marked in the field prior to machinery entering the adjacent exclusion zone.
- f) Temporary extraction tracks within an exclusion zone must not be bladed off.

AMENDMENT 3
(17 May 2004)
Non-Licence Terms

[1] Clause 1(2) – modified
who granted the approval;

[2] Clause 1(4) Note removed

Note: On the 2 April 2003 the Resource and Conservation Division of the Department of Planning (formerly DUAP) was transferred to a new Department of Sustainable Natural Resources. As the functions of the Department of Planning with respect to the approval were primarily carried out by the Resource and Conservation Division, the references to the Department in the approval need to be read as references to the Division, now part of the new Department.

Clause 10(14) modified

(a) land depicted in the Geographic Information System theme in ESRI grid format called “hcovog1_prctcd” in the sub-directory called “Protected HCVOG” on the CD-Rom having the volume label “991221_1516 (2 Dec 1999)” and held by the Resource and Conservation Division, and further described in the corresponding metadata on the CD-Rom,

Clause 16(3) - modified

(3) The measures to be taken to ensure that a heritage item is protected from any adverse impacts of forestry operations must be identified in any harvest plan prepared by SFNSW that applies to the forestry operations concerned.

Clause 16(4) – replaced

(4) In this clause, “harvest plan” refers to a plan that includes site specific information and instructions to staff of SFNSW and other persons concerning logging operations.

Clause 23(1)-23(2) replaced

Annual plan of logging operations

- (1) SFNSW is to prepare a plan of logging operations in respect of each financial year (“annual plan of logging operations”) that specifies each of the following matters:
- (a) the intended timing and location of proposed logging operations, by reference to State forest name and compartment number or other identifying particulars (in the case of Crown-timber lands other than State forests);
 - (b) the predicted kinds and quantities of timber products that will be yielded from the proposed logging operations, determined in accordance with the Forest Resource and Management Evaluation System; and
 - (c) any other matter relating to the matters set out in paragraphs (a) or (b) that DUAP notifies SFNSW is to be specified.

Note: As at the date of this approval, the Forest Resource and Management Evaluation System referred to in paragraph (b) of the above subclause does not enable predictions to be made on a single compartment basis.

- (2) In planning the location and timing of proposed logging operations under subclause (1), SFNSW must, as far as is reasonably practicable, disperse those operations over the Upper North East Region and over time, so as to reduce any cumulative impacts of logging operations in any part of the Region.

Clause 23(4) – 23(6) REVOKED

Written notice of particular harvesting operations

At least 5 working days prior to the commencement of any particular harvesting operation for the purposes of producing timber in the Upper North East Region, SFNSW must submit to the regulatory agencies a written notice specifying each of the following matters in respect of the harvesting operation:

- (4A) The written notice under subclause (4) is to include a statement to the effect that the compartment or other area in which the proposed harvesting operation will be carried out is likely to contain an unmapped drainage line (being a drainage line that does not appear on any 1: 25 000 topographic map supplied by the Land Information Centre) if:
- (a) SFNSW is of this opinion, having regard to the topography of the relevant land; and
 - (b) SFNSW proposes to carry out the harvesting operation other than under the authority conferred by the terms of the licence under the *Protection of the Environment Operations Act 1997* set out in this approval.

If possible, the statement is to indicate where the unmapped drainage line may be located within the compartment or other area.

- (a) the timing and location of the proposed harvesting operation, by reference to State forest name and compartment number or other identifying particulars (in the case of Crown-timber lands other than State forests);
- (b) whether it is proposed to produce timber by means of thinning; and
- (c) where it is proposed to produce timber other than:
 - (i) timber for fencing or sleepers, or firewood or craftwood, or
 - (ii) by means of thinning,

the selection method proposed to be used (as described in clause 5(3)).

Subject to subclause (6), SFNSW may only carry out harvesting operations for the purposes of producing timber in accordance with any written notice submitted to the regulatory agencies under subclause (4).

SFNSW may carry out a harvesting operation for the purposes of producing timber other than in accordance with a written notice submitted to regulatory agencies under subclause (4), provided that the regulatory agencies are notified at least 5 working days in advance of any relevant changes.

clause 23A replaced

23A. Notice of completion of harvesting operations

On completion of any particular harvesting operation for the purposes of producing timber in the Upper North East Region, SFNSW must submit to the regulatory agencies a written notice specifying:

- (a) the date on which the particular harvesting operation ceased; and
- (b) the location of the proposed harvesting operation, by reference to State forest name and compartment number or other identifying particulars (in the case of Crown-timber lands other than State forests).

clause 24(2) – modified

- (2) The information referred to in paragraphs (d) and (e) of subclause (1) may be derived from information contained in harvest plans and the compartment histories referred to in clause 42.

clause 24(5) definition - removed

“harvest plan” refers to a plan that includes site specific information and instructions to staff of SFNSW and other persons concerning logging operations; and

definition modified

“Single Tree Selection” has the same meaning as in clause 5.

Clause 48 (1) (e) replaced

- (a) any annual plan of logging operations or written notice prepared in accordance with clause 23 of this approval;

Clause 48 1(p) replaced

- (p) any harvest plan applicable to any area of land in the Upper North East Region, being plans which include site specific information and instructions to staff of SFNSW and other persons concerning logging operations;

Clause 48(2) modified

- (2) Any person may take copies of any of the documents referred to paragraphs (a) and (d) to (t) of subclause (1):

clause 48(3) modified

- (3) Despite subclauses (1) and (2), where SFNSW has received a direction in writing from NPWS to the effect that specified information relating to the location of a threatened species may only be disclosed or provided to persons (or a class of persons) specified in the direction, SFNSW may only disclose or provide that information to the persons (or class of persons) so specified.

Note: The terms of the licence under the Threatened Species Conservation Act 1995 set out in this approval contain a provision similar to the above in relation to the provision of information under the licence.

AMENDMENT 3

(17 May 2004)

Terms of Licence under the Protection of the Environment Operations Act 1997

Condition 10.1 - Replaced

10.1 Each summary of operations must be faxed to the Manager of the Forestry Unit of the EPA at least one day prior to the date of commencement of the scheduled or non-scheduled forestry activities.

Condition 14 (including 14.1 and 14.2) - replaced

14.1 Licence authority for scheduled or non-scheduled forestry activities for which a summary of operations was submitted in accordance with Division 1 will commence from the date inserted in the "Date on which licence authority commences" on Form 1 of Schedule 1 of this licence.

14.2 State Forests must ensure that a copy of each completed summary of operations is placed in the operations register required by condition 33 of this licence, from the date upon which the scheduled and non-scheduled forestry activities commence. The summary of operations must include the actual date on which licence coverage commenced.

Condition 15.1 - replaced

15.1 Within two weeks of commencing a scheduled or non-scheduled forestry activity in accordance with this Part, State Forests must notify the Manager of the Forestry Unit of the EPA in writing (by facsimile or mail) of the date of commencement of that operation.

Condition 17.4 - replaced

17.4 State Forests must fax to the Manager of the Forestry Unit of the EPA on the day the variation is approved a revised version of the summary of operations, signed by the Regional Manager, which accurately reflects the variation that has been approved.

Heading to Part 2 and condition 20 (including 20.1 to 20.4) - replaced

Part 2: Cessation of Licence Authority Licence authority ceases to apply

20.1 Licence authority ceases to apply to land where State Forests has forwarded to the EPA a written notice using Form 2 of Schedule 1 of this licence.

20.2 This licence ceases to apply to land notified in this way from the date that Form 2 of Schedule 1 is signed by a State Forests' employee not below the rank of Regional Manager.

20.3 A copy of each form must be placed on the operations register required by condition 33 within five days of the form being signed.

20.4 Copies of each form must be forwarded to the Manager of the Forestry Unit of the EPA on the first day of each month for each compartment or roading area where licence coverage ceased during the preceding month.

Condition 24.1 modified

24.1 An Annual Return must be prepared in respect of each reporting, except as provided below.

Condition 25.1 replaced

25.1 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period.

Condition 33.2 - replaced

33.2 The register must include copies of all:

- (a) summaries of operations submitted to the EPA in accordance with Division 1 of Part 1 of Operating Conditions; and
- (b) variations to summaries of operations submitted to the EPA in accordance with Division 2 of Part 1 of Operating Conditions; and
- (c) notifications that licence coverage has ceased, submitted to the EPA in accordance with Part 2 of Operating Conditions.

Schedule 1: Heading and forms 1 and 2 - replaced

(conditions 8; 14; 18; 20)

Part A: Forms to be used to notify the EPA

Form 1: Summary of operations prepared in accordance with condition 9 and submitted in accordance with condition 10.

Form 2: Notification of cessation of licence authority for scheduled and non-schedule forestry activities in accordance with condition 20.

Form 1 - replaced

Part A - FORM 1

**SUMMARY OF OPERATIONS FOR SCHEDULED AND
NON-SCHEDULED FORESTRY ACTIVITIES**

1. General Information

State Forest: _____

State Forest Region: _____

Total Area: _____ (ha)

Compartment: _____

State Forest No: _____

Net Harvest Area: _____ (ha)

Operation Type: _____

Date on which licence authority commences: _____*

*(not to be filled in until operation commences)

SOIL EROSION AND WATER POLLUTION HAZARD ASSESSMENT

2. Inherent Hazard Level

| Slope Class (degrees) | % Total Compartment/Age Class |
|-----------------------|-------------------------------|
| 0-10 | % |
| 10-20 | % |
| 20-25 | % |
| 25-30 | % |
| 30+ | % |

Inherent Hazard Level: _____

Soil Regolith Class(es): _____

Rainfall Zone: _____

Rainfall Erosivity: _____

Soil Regolith verified by: _____

Seasonality Restrictions apply: _____ Yes/No

3. Dispersible Soil Assessment

Dispersible soil present within the compartment/age class: _____ Yes/No

Dispersible soil identified by: _____

4. Mass Movement

Mass movement hazard within the compartment/age class (actual or potential): _____ Yes/No

Mass movement identified by: _____

SITE-SPECIFIC OPERATIONAL CONDITIONS

5. Road Construction

Length of new roads to be constructed: _____ m

Length of new roads to be constructed with a grade greater than 10°: _____ m

Length of new roads to be constructed on a ground slope greater than 30°: _____ m

6. Existing Roads

Length of existing roads to be maintained/upgraded/re-opened: _____ m

Length of existing roads with a grade greater than 10°: _____m

Length of existing roads with a ground slope greater than 30°: _____m

7. Road Drainage Feature Crossings to be Constructed

Number of new drainage line, watercourse, swamp and wetland road crossings to be constructed:

Number of new drainage line, watercourse, swamp and wetland road crossings where the road cannot be drained with a crossbank, mitre drain, relief pipe or spoon drain within 30 metres on either side of the crossing:

8. Existing Roads Drainage Feature Crossings

Number of existing drainage line, watercourse, swamp and wetland road crossings to be used: _____

Number of existing drainage line, watercourse, swamp and wetland road crossings proposed for maintenance or upgrading: _____

Number of existing drainage line, watercourse, swamp and wetland crossings where the road cannot be drained with a crossbank, mitre drain, relief pipe or spoon drain within 30 metres on either side of the crossing: _____

9. Snig & Extraction Tracks

Estimated number of snig track & extraction track crossings of watercourses and drainage lines: _____

Is sidecut snig track construction proposed (greater than 1m in height):

Yes/No

10. Borrow Pits & Gravel Pits

Number of borrow pits or gravel pits to be used: _____

11. Post-harvest Burning

Is post-harvest burning proposed:

Yes/No

Preferred season of burn and method of ignition: _____

12. Compliance

I certify that this is a true and accurate record of this proposed scheduled or non-scheduled forestry activity and that the following requirements have been fulfilled:

- a) the planning of this proposed scheduled or non-scheduled forestry activity has been undertaken in accordance with Schedule 2 of the Environment Protection Licence;
- b) the site assessments for dispersibility, mass movement and the determination of the inherent hazard level have been undertaken in accordance with Schedule 3 of the Environment Protection Licence; and
- c) site-specific prescriptions have been identified and developed in accordance with Schedules 2, 3, 4, 5 and 6 of the Environment Protection Licence.

Regional Manager's Name: _____

(Block letters)

Regional Manager's Signature: _____

Date: _____

Form 2 - replaced

Part A - Form 2

NOTIFICATION FOR THE CESSATION OF LICENCE AUTHORITY FOR SCHEDULED OR NON-SCHEDULED FORESTRY ACTIVITIES

On behalf of State Forests I hereby notify the EPA that the licence authority ceases to apply to the land identified below:

State Forest: _____

Compartment: _____

State Forests' Region: _____

Operation Type: _____

Commencement date of licence authority: _____

Description of roading area (if applicable): _____

Regional Manager's Name: _____

(Block letters)

Regional Manager's Signature: _____

Date licence authority ceases: _____

Schedule 1 B2 - modified

- B2. filter strip, protection zone and operational zone widths for all identified watercourses and drainage lines within the compartment or roading area in inherent hazard level 1 or 2;

Schedule 1 B2A - modified

- B2A. filter strip and operational zone widths for all identified watercourses and drainage lines within the compartment or roading area in inherent hazard level 3;

Schedule 4 (D. Protection of Drainage Features) condition 10 - omitted

10. Notwithstanding condition 9 of this Schedule, State Forests may carry out forestry activities within 100 metres of the top water level of Blowering Dam on the Tumut River.

Schedule 4 (D. Protection of Drainage Features) condition 17 - replaced

17. Trees located in a filter strip must not be felled, except for the purposes of constructing a road, extraction track or snig track crossing.

Schedule 4 condition 19 & 19 A - replaced

19. Where a tree is accidentally felled into a filter strip:
- a) the timber log section of that tree may be removed from the filter strip;
 - b) the crown of the tree must be cut off from the trunk and left where it has fallen unless the whole of the tree is lifted out of the filter strip, or lifted and moved within the filter strip, using a mechanical harvester.

(Note: For the purposes of this condition (19) a tree will be considered as being accidentally felled if: techniques of directional felling were used in an attempt to fell the tree away from the filter strip; or an attempt was made using some other method (such as using a mechanical harvester) to fell the tree away from the filter strip.)

- 19A. Where a log is removed from a filter strip, the log furrow produced by this extraction must be infilled with soil, drained onto a stable surface capable of handling concentrated water flow and at least 70% ground cover must be achieved within 5 days of the creation of the furrow.

Schedule 4 condition 20 - replaced

20. Machinery must not enter a filter strip except for the construction and use of a road, extraction track or snig track crossing.

Schedule 4 condition 20b to 20d - replaced

- 20B. Where a tree is felled into a protection zone by a mechanical harvester, the tree and crown may be lifted from the protection zone, or lifted and moved within the protection zone, by the mechanical harvester.
- 20C. Trees in a protection zone must not be felled, except for the purpose of constructing a road, extraction track or snig track crossing.
- 20D. Machinery may operate in the outer five metres of a protection zone for the purpose of cutting and removing timber logs located in an operational zone and to reinstate ground cover or remove a timber log that has fallen into the protection zone or filter strip.

(Note: For the purposes of this condition (20D) machinery entry into the protection zone must be measured from the boundary of the protection zone with the operational zone for Inherent Hazard Level 1 and 2.)

Schedule 4 conditions 20F to 20G - replaced

- 20F Machinery may enter the protection zone for the purpose of constructing and using a road, extraction track or snig track crossing.
- 20G Snig tracks must not be constructed in a protection zone.
- 20H Machinery operating within a protection zone for the purposes of cutting and removing timber logs must:
- a) use walkover techniques;
 - b) minimise the skewing of machinery tracks to the greatest extent practicable; and
 - c) operate with any blades, rippers or any other attachments in a position that does not disturb the ground surface.

Schedule 4 condition 20I - replaced

- 20I Log furrows produced by log extraction from a protection zone must be infilled with soil, drained onto a stable surface capable of handling concentrated water flow and at least 70% ground cover must be achieved within 5 days of the creation of the furrow.

Schedule 4 condition 20Q to 20 U – replaced

- 20Q Machinery operating within operational zones must:
- a) use walkover techniques; and
 - b) minimise the skewing of machinery tracks to the greatest extent practicable.
- 20R Snig tracks must not be constructed in an operational zone.
- 20S A snig track may be constructed in an operational zone where the construction of a snig track immediately adjacent to the operational zone would result in a sidecut. State Forests must document the location of where snig tracks have been constructed in an operational zone.
- 20T Log furrows produced by log extraction from the operational zone must be infilled with soil drained onto a stable surface capable of handling concentrated water flow and at least 70% ground cover must be achieved within 5 days of the creation of the furrow.
- 20U Seventy percent ground cover must be achieved on all disturbed soil surfaces in an operational zone within five days of the creation of the disturbance. This level of ground cover must not be achieved by the addition or spreading of gravel or rock.

(Note: the following techniques, or a combination of them are examples of how 70% ground cover may be achieved:

- a) retain at least 70% existing ground cover;*
- b) retain or respread slash and logging debris over at least 70% of the disturbed soil surface; or*
- c) provide artificial ground cover in order to achieve 70% ground cover within the disturbed area using geotextile or erosion control mats).*

Schedule 4 condition 23 - replaced

23. Earthworks must not be undertaken within buffer strips except for the construction of a road, extraction track or snig track crossing.

Schedule 4 condition 29 - modified

29. For land classified as inherent hazard level 3, log dumps must be located at least 20 metres from the outer boundary of a protection zone, unless the construction of the log dump at least 20 metres from the outer boundary of the protection zone would result in additional excavation compared to a log dump located closer to the protection zone.

Schedule 4 condition 32 - modified

32. For land classified as inherent hazard level 3, debris from log dumps must be located at least 15 metres from the outer boundary of a protection zone.

AMENDMENT 3

(17 May 2004)

Terms of Licence under the Threatened Species Conservation Act 1995

[1] References to 2 Dec 1999 in definition of High Conservation Value Old Growth Forest and conditions 5.3 (m) (i)

Omit “2 Dec 1999 from paragraph (i) of the definition of “High Conservation Value Old Growth Forest” from Definitions and Abbreviations and from condition 5.3 (m) (i). Instead insert “21 Dec 1999”.

AMENDMENT 4
(22 November 2007)
Non-Licence Terms

[2] Clause 48 Public availability of documents

Omit “and” at the end of clause 48 (1) (s).

Omit “System.” from clause 48 (1) (t) and insert instead “System; and”.

Insert at the end of clause 48 (1) (t):

- (u) the CD-Rom referred to in condition 6.13B (“Hastings River Mouse (Special provisions for various compartments)”) of the terms of the licence under the *Threatened Species Conservation Act 1995* set out in Appendix B.

AMENDMENT 4

(22 November 2007)

Terms of Licence under the Threatened Species Conservation Act 1995

[3] **Condition 5.1 (b) Operational requirements**

Omit the matter relating to condition 6.13A in condition 5.1 (b). Insert instead “6.13B Hastings River Mouse (Special provisions for various compartments)”.

[4] **Condition 5.20 (c) Miscellaneous forestry operations**

Omit the matter relating to condition 6.13A in condition 5.20 (c). Insert instead “6.13B Hastings River Mouse (Special provisions for various compartments)”.

[5] **Condition 6.13B**

Omit condition 6.13A.

6.13A Hastings River Mouse *Pseudomys oralis* (Special provisions for Compartment 23, Gibraltar Range State Forest)

Note: The following condition (condition 6.13A) was developed as a result of a review of the application of condition 6.13 (Hastings River Mouse) to Compartment 23 of Gibraltar Range State Forest, requested by State Forests in 2000 (under condition 2.1). The application of condition 6.13 meant that more than 20% of the net logging area of Compartment 23 became unavailable for logging as it was required to be set aside as exclusion zones to protect the Hastings River Mouse. Condition 6.13A requires only one exclusion zone (namely, that shown on the map set out in Schedule 10A) to be established to protect the Hastings River Mouse in Compartment 23, thus allowing logging to occur in areas that were unavailable because of condition 6.13. Condition 6.13A operates only for 2 years to allow the harvesting operation that commenced in 2000 to be completed.

- a) This condition (condition 6.13A) applies only to Compartment 23, Gibraltar Range State Forest (as shown on the map set out in Schedule 10A), referred to in this condition as Compartment 23.
- b) This condition (condition 6.13A) applies on and from its commencement for two years. Condition 6.13 does not apply to Compartment 23 during that two year period.
- c) The exclusion zone shown as “HRM exclusion zone” on the map set out in Schedule 10A must be established. For the avoidance of doubt, no other exclusion zone for the protection of the Hastings River Mouse is required to be established in Compartment 23 under another term of this licence (including condition 7). Potential habitat of the Hastings River Mouse outside the exclusion zone (but within the Compartment) is not required to be assessed for suitability.
- d) Despite condition 5.1 (a), a tree may be felled into, and removed from, the HRM exclusion zone if it contains a timber log.

Note: Condition 5.1 (a) prohibits specified forestry activities within exclusion zones, including the HRM exclusion zone in Compartment 23. More specifically, condition 5.1 (a) (ii) prohibits the felling of trees into exclusion zones and their removal, unless this is expressly permitted by another condition of this licence. The above provision – condition 6.13A (d) – overrides this prohibition to allow trees to be felled into the HRM exclusion zone (but only where they contain a high quality timber log). Condition

AMENDMENT 3
17 May 2004
added
Ref Appendix E

6.13A (e) below sets a limit on the number of trees that may be felled into the HRM exclusion zone and removed from the zone.

- e) However, in any one harvesting operation (for the purpose of timber production):
 - i. no more than 6 trees may be felled, under condition 6.13A (d), across any 200 metre length of the boundary of the HRM exclusion zone, whatever 200 metre length is considered; and
 - ii. the number of trees that may be removed under condition 6.13A (d) may not exceed the number calculated by applying the principle set out in condition 6.13A (e) (i).
- f) A tree that is felled accidentally into the HRM exclusion zone may be removed from the zone, but only if it contains a timber log. The tree may be removed even if the total number of trees removed in the harvesting operation concerned will, as a result, exceed the maximum number allowed to be removed under condition 6.13A (e) (ii).
- g) The following rules apply to the removal of a tree under condition 6.13A (d) or (f):
 - i. the crown must be left where it has fallen, unless the whole of the tree (or the whole of that part of the tree that has fallen into the zone) is lifted out of, or lifted and moved within, the HRM exclusion zone, using a mechanical harvester;
 - ii. in removing any part of the tree (or logs into which the tree is cut) from the HRM exclusion zone, disturbance to the ground and soil must be minimised as far as practicable.
- h) This condition (condition 6.13A) does not affect the operation of condition 6.13 when carrying out a specified forestry activity in a compartment other than Compartment 23. Accordingly, a record of a Hastings River Mouse in Compartment 23 may require an exclusion zone to be established in accordance with condition 6.13 within another compartment in the vicinity of Compartment 23.
- i) For the avoidance of doubt, a pre-logging or pre-roading survey within Compartment 23 is not required with respect to the Hastings River Mouse for the purpose of carrying out an operation within that Compartment.

Note: Pre-logging surveys have been carried out in Compartment 23. The above provision (condition 6.13A (i)) is included to make it clear that no further survey is required (under conditions 7 and 8) with respect to the Hastings River Mouse (for example, because of the time that has elapsed since the original surveys). The above provision does not imply that surveys are required within the Compartment for other species before harvesting is resumed in the Compartment.

- j) This condition (condition 6.13A) does not affect the operation of any requirement or prohibition of this licence with respect to Compartment 23, apart from condition 6.13 and conditions 7 and 8 (in so far as those condition apply to the Hastings River Mouse). For example, if Compartment 23 contains an area of High Conservation Value Old Growth Forest, then condition 5.3 continues to operate with respect to that area.

[6] Schedule 10B

Omit Schedule 10A. Insert instead the following Schedule:

SCHEDULE 10A: Hastings River Mouse Exclusion Zone for Compartment 23 Gibraltar Range State Forest – Map.

