

**FORESTRY AND NATIONAL PARK ESTATE ACT 1998**

**AMENDMENT NO 4 TO INTEGRATED FORESTRY OPERATIONS APPROVAL  
FOR THE UPPER NORTH EAST REGION**

The Integrated Forestry Operations Approval for the Upper North East Region is amended as set out in the attached schedule to this instrument.

Notes do not form part of this instrument. They are provided to assist understanding only.

Dated: 2007.

Phil Koperberg MP  
Minister for Climate Change, Environment and Water

Ian Macdonald MLC  
Minister for Primary Industries

**SCHEDULE – AMENDMENTS TO THE INTEGRATED FORESTRY OPERATIONS  
APPROVAL FOR THE UPPER NORTH EAST REGION**

**[1] Clause 10 (14) Definition of “relevant exclusion zone”**

Insert the following matter in the definition of “relevant exclusion zone” at the end of clause 10 (14) (n):

- (n1) condition 6.13B (“Hastings River Mouse (Special provisions for various compartments)” ),

**[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.

**[3] Terms of licence under the *Threatened Species Conservation Act 1995* set out in Appendix B of the Approval**

**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. Insert instead:

**6.13B Hastings River Mouse *Pseudomys oralis* (Special provisions for various compartments)**

**Where and when this condition applies**

- a) This condition (condition 6.13B) applies to the following compartments (the “relevant compartments”):

- |                               |   |
|-------------------------------|---|
| • Marengo State Forest        | Compartments 10, 11, 12, 14, 15, 16, 115            |
| • Chaelundi State Forest      | Compartments 170, 172, 174                          |
| • Ellis State Forest          | Compartments 204, 205, 206, 207, 208, 209, 210, 211 |
| • Glen Elgin State Forest     | Compartments 14, 15                                 |
| • Hyland State Forest         | Compartments 33, 46, 49, 317, 318, 319, 320, 321    |
| • Mount Mitchell State Forest | Compartments 16, 17, 18                             |

- b) This condition applies on and from its commencement for a period of two years. Condition 6.13 does not apply to a relevant compartment during that two year period.

### **HRM exclusion zones and HRM operational zones to be established**

- c) If a specified forestry activity (or miscellaneous forestry operation) is to be carried out in a relevant compartment, any HRM exclusion zone and HRM operational zone for that compartment must be established or identified. For the avoidance of doubt, no other zone for the protection of the Hastings River Mouse is required to be established in the relevant compartment under another term of this licence (including condition 7).

*Note: See paragraph (r) of this condition for definitions of “HRM exclusion zone” and “HRM operational zone” and see Schedule 10B for maps which show the location of HRM exclusion zones and HRM operational zones within the relevant compartments.*

### **What can be done in an HRM operational zone?**

- d) The terms of this licence (in particular, condition 5.1) apply to and in relation to an HRM operational zone as if it were an exclusion zone, except as provided by this condition.
- e) Timber may be removed by snigging via a route (whether or not it is the route of an existing snig track) through an HRM operational zone if:
- i. there is no practicable alternative route available; and
  - ii. the manager of the regional office of Forests NSW that is responsible for managing land that includes the relevant compartment (or more senior officer) has authorised, in writing, the use of the route for snigging.
- f) A snig track may be constructed (or re-opened) on the proposed route (for example, by clearing trees or other vegetation) if the manager’s authorisation for the purposes of condition 6.13B (e) includes an authorisation to do so.
- g) A road may be constructed or re-opened in an HRM operational zone to provide access to and from a log dump if:
- i. there is no practicable alternative route available; and
  - ii. the manager of the regional office of Forests NSW that is responsible for managing land that includes the relevant compartment (or more senior officer) has authorised, in writing, the construction or re-opening of the road.

*Note: Condition 5.1 (which applies to an HRM operational zone because of paragraph (d) above) authorises the use of a road by harvesting machinery in an HRM operational zone. Routine road maintenance may also be carried out in an HRM operational zone (because this is not a specified forestry activity that would otherwise be prohibited by condition 5.1).*

- h) Harvesting machinery may enter, and be operated within, an HRM operational zone for the purpose of constructing or re-opening a road or snig track as authorised by condition 6.13B (e), (f) or (g).
- i) Forests NSW must ensure that all practical measures are taken to minimise any adverse impact of any snigging (including construction of a snig track) or road construction or re-opening on the environment, including the habitat of any threatened species.

### **Undisturbed areas**

- j) In any harvesting operation (for the purpose of timber production) within a relevant compartment, Forests NSW is to ensure that an area that contains non-merchantable timber or provides habitat connectivity (being an area that is not to be logged in the

harvesting operation) is identified in the field. The area is to be marked on the harvesting plan operational map for the operation (unless the size of the area makes that impracticable in light of the scale of the operational map). Forests NSW is to provide the Department of Environment and Climate Change with a copy of the updated harvesting plan operational map on the completion of the harvesting operation.

**Protection of ground habitat in net logging area etc**

- k) Forests NSW must protect ground habitat in a relevant compartment by ensuring that disturbance to the ground is minimised to the greatest extent practicable during a harvesting operation. Accordingly:
- i. the construction of new roads and snig tracks is to be kept to a minimum;
  - ii. any harvesting machine must be operated using walkover techniques and in such a way that skewing of machine tracks is minimised to the greatest extent practicable;
  - iii. any harvesting machine must be operated, where practicable, with any blades, rippers or similar attachments positioned so that they do not disturb groundcover vegetation or soil; and
  - iv. damage to, or disturbance of, any log or branch that contains a hollow and that is on the ground when the harvesting operation commences must be avoided or minimised.

**Felling of trees into HRM exclusion zones and HRM operational zones**

- l) Techniques of directional felling are to be used, where practicable, to avoid trees falling into an HRM exclusion zone or HRM operational zone in a harvesting operation (for the purposes of timber production). However, a tree that contains a timber log may be felled into, and removed from, such a zone if it is not practicable to fell the tree away from the zone using these techniques. A tree that is accidentally felled into the zone may also be removed from the zone if it contains a timber log.
- m) The following rules apply to the removal of a tree from an HRM exclusion zone or HRM operational zone under condition 6.13B (l):
- 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 zone using a mechanical harvester;
  - ii. in removing any part of the tree (or logs into which it has been cut) from the zone, disturbance to the groundcover vegetation and soil must be minimised to the greatest extent practicable.

**Bush fire hazard reduction work**

- n) In so far as its obligations under the *Rural Fires Act 1997* allow, Forests NSW is to carry out any bush fire hazard reduction work in a relevant compartment when weather and fuel moisture conditions will enable the following outcomes to be achieved:
- i. the maintenance of a mosaic of burnt and unburnt patches within the compartment;
  - ii. the maintenance, within the net logging area of the compartment, of a significant proportion of understorey vegetation and groundcover vegetation that is unburnt;
  - iii. minimal impact on large fallen logs.

- o) If bush fire hazard reduction work is carried out in, or results in fire spreading to, an HRM exclusion zone or an HRM operational zone, or an area that contains non-merchantable timber or that provides habitat connectivity (as identified by Forests NSW for the purpose of condition 6.13B (j)), Forests NSW is to record, in writing, the following details:
- i. the location of the zone or other area in which the bush fire hazard reduction work is carried out or into which fire spreads;
  - ii. the date on which the bush fire hazard reduction work is carried out in the zone or other area or on which fire spreads to the zone or other area;
  - iii. the extent of the area burnt, or otherwise affected by the work, within the zone or other area.

These details are to be provided to the Department of Environment and Climate Change on completion of the bush fire hazard reduction work.

#### **Operation of other terms of the licence**

- p) This condition (condition 6.13B) does not affect the operation of condition 6.13 when a specified forestry activity (or miscellaneous forestry operation) is carried out in a compartment other than a relevant compartment. Accordingly, a record of a Hastings River Mouse in a relevant compartment may require an exclusion zone to be established in accordance with condition 6.13 in a compartment in the vicinity of a relevant compartment.
- q) For the avoidance of doubt, a pre-logging or pre-roading survey with respect to the Hastings River Mouse is not required to be carried out in a relevant compartment for the purpose of carrying out an operation within the compartment.

#### **Identification of HRM exclusion zone or operational zone**

- r) In this condition (condition 6.13B):

“HRM exclusion zone” means any area of land depicted in the spatial data layer of the ESRI Shape file called “HRM\_exclusion” located on the CD Rom labelled “UNE IFOA Appendix B Condition 6.13B”, as it was on 28 August 2007, and held by the Department of Environment and Climate Change; and

“HRM operational zone” means any area of land depicted in the spatial data layer of the ESRI Shape file called “HRM\_operational” located on the CD Rom labelled “UNE IFOA Appendix B Condition 6.13B”, as it was on 28 August 2007, and held by the Department of Environment and Climate Change.

*Note: See Schedule 10B for maps which show the location of the HRM exclusion zones and HRM operational zones for the relevant compartments. These maps are for guidance only. The zones are to be identified for the purpose of applying the requirements of this condition by using the CD-Rom as referred to above.*

#### **[6] Schedule 10B**

Omit Schedule 10A. Insert instead the following Schedule:

#### **SCHEDULE 10B – HASTINGS RIVER MOUSE EXCLUSION ZONES ETC.**

*[Condition 6.13B]*

*The maps set out in this Schedule show the location of HRM exclusion zones and HRM operational zones for the purposes of condition 6.13B (Hastings River Mouse Pseudomys*

*oralis (Special provisions for various compartments)). The maps are for guidance only. The zones are to be identified for the purpose of applying the requirements of condition 6.13B by using a CD-Rom as referred to in that condition.*