

# NEFA

## North East Forest Alliance

C/- Big Scrub Environment Centre, 123 Keen St Lismore 2480  
Phone/Fax (02) 6622 4737

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19 March 1998

Jaqui Parry,  
Manager,  
Northern Rivers Region,  
State Forests of NSW,  
Casino. 6662 5826

7 pages in total

Dear Jaqui,

Conservation representatives on the Harvesting Advisory Board have reviewed the Harvesting Plan for compartment 286 Yabbra State Forest, the first IDFA compartment proposed for logging in the Urbenville Management Area.

It is very disappointing to find that the harvesting plan doesn't meet the legal requirements of the conservation protocols. The confusing and contradictory contents of the harvesting plan would undoubtedly lead to mistakes in the field.

The so-called crisis that has been created has led to a rush job in the planning of cpt 286 and if no amendments are made to the plan, the logging operation will be carried out illegally. After our bad experience with compartment 68 in Whian Whian State Forest I would have expected that State Forests would have been far more careful in the planning of cpt 286. I certainly hope that the rush for IDFA timber doesn't lead to stuff-ups in the field as well as stuff-ups in the plan.

It is also disappointing that there is not enough time to properly negotiate prescriptions for cpt 286. We consider that the conservation protocols are often inadequate to protect endangered species and in IDFA compartments where the conservation values are highly significant, more adequate prescriptions are needed. Obviously State Forests have no real intent to harvest in an ecologically sustainable manner in such an important area and are only keen for some timber and planning relief.

I am committed to the terms of reference of the Harvesting Advisory Board but have grave misgivings about how we are approaching this situation. Issues we have been flagging for months have still not been dealt with, promises and assurances that planning problems will be improved have not been realised and in fact the harvesting plan for cpt 286 is perhaps the most inadequate in terms of legal requirements and ESFM that has been produced in the HAB area in recent times. Not a good start.

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The issues raised in Dailan Pugh's letter of 16 March to the HAB are still outstanding.

In summary these issues include the distribution of audit reports from cpts 68 and 77 by NPWS, demonstrated improvements in planning and implementation procedures by State Forests, and a certification by State Forests that all other practicable sources of non-IDFA timber have been exhausted (please refer to D Pugh's letter of 16 March '98).

Until these issues are resolved to our satisfaction, how can we approve any IDFA compartments for logging?



We cannot consider final approval for the harvesting plan for cpt 286 until we have reviewed the final plan. We regret that time constraints prevented us from a thorough review of the plan and limited our input. If further consideration of the harvesting plan or other information shows a need for amendments, we may make further recommendations at a later date.

Following are proposed amendments to the harvesting plan for compartment 286, Yabbra State Forest.

Also included are baseline protocols we consider should be applied in all IDFA compartments. This list of protocols is not final and will be amended for other IDFA compartments.

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It is recommended that further surveys be undertaken for this species before logging commences and a map of localities be distributed for consideration.

It is recommended that *Tylophora woollsii* be protected with a buffer of at least 100 metres and by the protection of all forest type 53 - Brushbox. The buffer and forest type 53 must be protected from all specified forestry activities. Trees must not be felled into these exclusion areas

(Condition 4.5 (a) Endangered flora species protection. Page 31).

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It is recommended that all specified forestry activities be excluded from rainforest and rainforest buffers. Trees must not be felled into rainforest or buffers.

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The harvesting plan allows the use of old snig tracks through old growth forest. It also allows trees to be felled into old growth as long as the trees are removed or flattened within 5 metres of trees in the old growth. (Condition 4.5 Flora Protection (d) Candidate Old Growth. Page 34)

This is not acceptable and it is recommended that areas of old growth be protected from all specified logging activities and that no trees be felled into the old growth.



It is recommended that old growth forest have a 20 metre buffer from which all specified forestry activities be excluded. Trees must not be felled into the buffer.

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The removal of all mature trees suitable for production of hardwood sawlogs is not acceptable (Description 6 Harvesting Conditions to be Determined (a) Silviculture, part 1. Page 7).

It is recommended that the word "all" be removed from this condition

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It is recommended that the following parts 5 and 6 be included in this condition;  
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It is recommended that a paragraph 5 be included to read “Following completion of the operation the SFO will mark, as accurately as feasible, on the harvesting plan map the actual area harvested.”

It is recommended that tree marking be done with a long lasting paint.



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## **Typos**

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### **Proposal for General Baseline Protocols for Harvesting in IDFA Compartments**

The following protocols are proposed for harvesting operations in IDFA compartments

#### **Fauna and Flora Protection**

##### **Rainforest.**

Rainforest must be protected from all specified forestry activities.

All specified logging activities must be excluded from rainforest and rainforest buffers. Trees must not be felled into rainforest or rainforest buffers.

Rainforest to be identified by the harvesting plan map with boundaries identified in the field where the type of forest meets the definition of rainforest.

The buffer must be marked with three horizontal stripes.

##### **Old Growth Forest Protection**

Areas of old growth forest must be protected from all specified logging activities.

A 20 metre buffer must be retained around all areas of old growth. The buffer must be protected from all specified forestry activities. Trees must not be felled into old growth or old growth buffers. The buffer must be marked with three horizontal stripes.

##### **Rare Plants**

All rare species of plant must be protected with a buffer of at least 50 metres. Particularly significant plants ie *Tylophora woollsii* must be protected by a 100 metre buffer.

The buffer must be protected from all specified forestry activities and trees must not be felled into the buffer. The buffer must be clearly marked with three horizontal stripes.

##### **Habitat Trees**

All large old growth trees greater than 1 metre dbh must be retained.

A minimum of 10 recruitment trees per hectare must be retained. The recruitment trees must be sound, vigorously growing mature trees greater than 40 cm dbh.



## **Silviculture**

### **Canopy Retention**

Canopy retention must be at least 50% across the net logging area.

No canopy gapping or 'Australian Group Selection' will occur in IDFA compartments

### **Tree Culling**

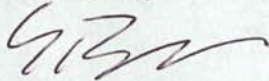
Culling of non-commercial timber must not occur.

## **Bellbird Dieback**

All areas of bellbird dieback encountered in the field during pre-logging surveys must be mapped and the map kept with the compartment history. The mapping will be done using an agreed method.

State Forests must propose a management plan for the dieback areas that will ensure forest regeneration.

Yours sincerely,



Georgia Beyer

For the Conservation Representatives on the NE State Forests Harvesting Advisory Board.

Cc. Gary Davey, NPWS, Northern Zone.



20 March '98

Attention

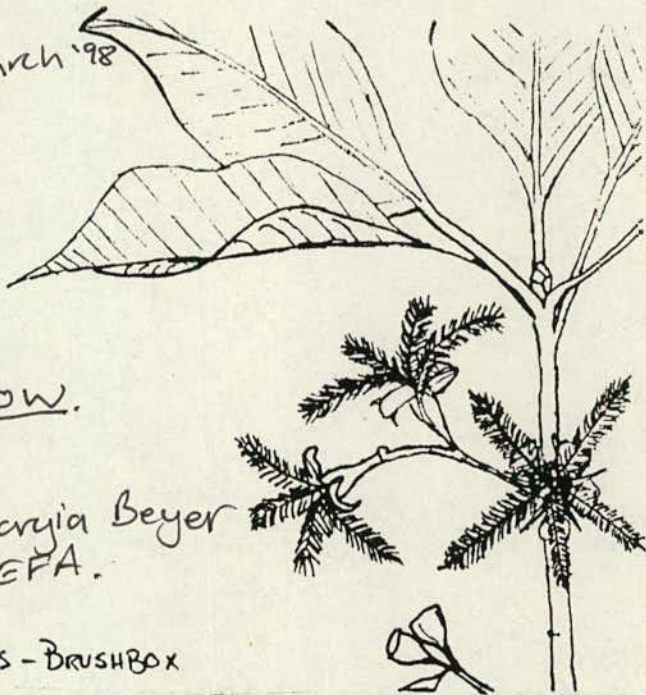
Gerry Davey

NPWS  
Northern Zone.  
Fax 6651 6187

7 pages to follow.

Georgina Beyer  
NEFA.

Rainforest Species  
Lophostemon confertus - BRUSHBOX





# NEFA

# COPY

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RECEIVED  
STATE FOREST OF N.S.W.  
NATIVE FORESTS DIVISION  
NORTHERN RIVERS REGION  
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No canopy gapping or 'Australian Group Selection' will occur in IDFA compartments

### Tree Culling

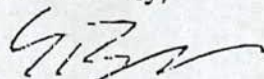
Culling of non-commercial timber must not occur.

## Bellbird Dieback

All areas of bellbird dieback encountered in the field during pre-logging surveys must be mapped and the map kept with the compartment history. The mapping will be done using an agreed method.

State Forests must propose a management plan for the dieback areas that will ensure forest regeneration.

Yours sincerely,



Georgia Beyer

For the Conservation Representatives on the NE State Forests Harvesting Advisory Board.

cc. Gary Davey, NPWS, Northern Zone.





18 March 1998

Regional Planning Manager  
State Forests of NSW, Northern Rivers Region  
PO Box 688  
CASINO NSW 2470

NSW  
NATIONAL  
PARKS AND  
WILDLIFE  
SERVICE

Our reference: yab286a/daa/4924-286  
Your reference:

ATTENTION: BOB WILLIAM

IDFA Compartment 286 Yabbra State Forest

Dear Bob,

As agreed at the North East State Forest Harvesting Advisory Board (NESFHAB) meeting of 17 March 1998, National Parks and Wildlife Service (NPWS) has conducted a review of the draft Harvesting Plan for the IDFA compartment 286 Yabbra State Forest.

The attached review has been conducted as a matter of urgency due to timber supply problems in Northern Rivers Region. The review details a number of concerns NPWS has with the draft Harvesting Plan as well as data required to fulfil reporting requirements as set out in the 28 February 1998 section 120 licence variation.

I will be available tomorrow, 19 March 1998, to discuss the contents of the review in order to allow for the finalisation of the Harvesting Plan by 20 March 1998 as agreed by the NESFHAB.

Yours faithfully

GARY DAVEY  
Manager, Threatened Species Unit

for DIRECTOR-GENERAL

Northern Zone  
GIO House  
24 Moonee Street  
Coffs Harbour NSW  
Australia  
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43 Bridge Street  
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## NPWS Review of draft Harvesting Plan Yabbra State Forest, compartment 286

18 March 1998

### Information for HAB members

#### Riparian buffers

The Harvesting Plan Operational Map (HPOM) does not show the correct stream order and buffer widths for some sections of creek.

- In the north-west section of the compartment the second order stream to the south of log dump J should start at the junction of the two first order streams, not the junction below this. ✓
- The second order stream to the south-east of log dump K has not been correctly mapped. ✓
- Where the two second order streams referred to above meet, the stream becomes a third order stream.
- The stream that enters the compartment along the southern boundary is a second order stream, not a first order.
- The stream that enters the compartment to the south of log dump G is a second order stream, not a first order.

The HPOM will need to be revised to show the correct stream order and buffer widths. The HPOM will also need to clearly state that buffers for Gold-tipped Bat are 40m wide on both sides of the stream.

#### Connection corridors

The s120 licence requires that for every 500ha of forest at least one connection corridor at least 80m wide connecting third order streams, or two connection corridors at least 40m wide connecting second order streams be established. There is one connection corridor of 40m width in the compartment, however it does NOT connect two different drainage systems as required. The HPOM will need to be revised to include an appropriate connection corridor that connects two different drainage systems. It is suggested that a corridor be established that connects Mosquito Creek to the drainage line in the western section of the compartment.

#### Rocky Outcrop

A rocky outcrop was identified during the pre-logging surveys. This area must be shown on the HPOM with the corresponding buffer.

#### Tree marking

There is a section in the plan (page 28) referring to tree marking. This method of tree marking has not been agreed to by NPWS. As such, the requirements under the Threatened Species Protocol and s120 licence to mark trees for retention must apply to this compartment.



An agreement was made to allow marking for removal in Bookookoorara State Forest as marking had already been conducted and due to the urgency for access to these compartments. NPWS specified that this agreement only related to the Bookookoorara compartments and any agreement to modify the tree marking method would be dependent on a thorough review of the proposed method and an audit of the Bookookoorara compartments.

### Canopy gapping

During the moratorium on canopy gapping, Australian Group Selection is considered an acceptable logging technique (harvesting plan page 29). The AGS system allows the creation of canopy gaps that are a range of sizes that *average* about 40-50 metres diameter. Site preparation can include limited felling or tractor pushing of non-commercial trees.

It is not considered appropriate that AGS is conducted in IDFA compartments for the following reasons:

- the technique of canopy gapping is still under review
- the technique could adversely affect the conservation values of the IDFA compartment
- the technique could adversely affect a number of threatened species known to occur in the IDFA compartment.

Furthermore, the Koala prescription precludes the application of canopy gapping in this compartment.

*Desk Kool*

### Old Growth

The reporting requirements of the old growth protocol (prescription 34 of the 28 February 1998 licence variation) have not been met. That is, a map showing candidate old growth forest should be included in the harvesting plan, as well as the following data on the assessment: date of assessment, identification of assessor; and result of assessment.

The Harvesting Plan includes a prescription for old growth. The prescription does not follow the intent of the old growth protocol. During negotiations for the protocols it was agreed that for exclusion areas and buffers "All practical precautions must be taken to avoid felling trees into / over...". The intent was that trees would not be felled over critical boundaries and buffer boundaries. However, it was acknowledged that in some situations accidents happen, and rather than effectively increase the buffer / boundary by the length of the tree to be felled by requiring that trees must not be felled over these boundaries, the wording was changed to "All practical precautions...". However, the intent remains; ie that trees must not be felled over buffers / boundaries.

Given the above, the IDFA status of this compartment, and subsequent 'best practice operation', NPWS proposes the following prescription for the protection of old growth in this compartment:

1. The boundary of the identified old growth forest must be clearly marked in the field by the SFO (where the boundary is adjacent to areas of net logging area that will be harvested).
2. Specified forestry activities must not be conducted in areas of identified old growth forest.
3. Trees must not be felled into areas of identified old growth forest, ie trees must not be felled across the boundary of old growth forest.



4. If a tree accidentally falls across the boundary, all trees within the old growth boundary affected by the fallen tree will be treated as habitat trees. Removal of debris from around such trees must be done by hand.

### Reporting requirements

The 28 February 1998 broad area licence requires (see Condition 9) that the following be included in the Harvesting Plans: "Those prescriptions and Harvesting Plan Operational Map amendments triggered by the results of the Pre-riding and Pre-logging surveys." Also that: "The Harvesting Plan Map must present, as clearly as possible at the standard scale used, all threatened species records (database search records, SFNSW records and new survey records) and threatened fauna features requiring prescriptions. The Map must also indicate the management actions for each, eg. buffer zones must be indicated."

The Map does not show all the relevant features required and will need to be amended. All threatened species (both flora and fauna) requiring prescriptions or some form of management will need to be mapped. All threatened fauna features (eg. *Allocasuarina* with >30 cones beneath, owl roost site etc) will need to be mapped.

*copy letter Davey Binns?* The reporting requirements of the pre-logging survey have not been met. The data required to be included in the survey report, as set out under the 'Data to record' sections have not been supplied for the compartment traverse; for example no map has been provided showing the location of the compartment traverse, and no AMGs have been provided of threatened flora records and threatened fauna features.

### Flora

The survey report is inadequate in reporting threatened flora survey results. No AMGs were provided for the locations of the species found, nor does the map clearly show where all populations and individuals of the species were found.

*Tylophora woollsii* (sch 1) was recorded during pre-logging surveys. The prescription applied in the Harvesting Plan is not the agreed prescription for this species. Binns recommends extending riparian buffers to protect the species. He suggests that the first order stream where the species has been found be buffered by a minimum 30m exclusion zone on either side of the stream, and the second and third order sections of stream be *extended* by 30m either side (to allow for occurrences up to 30m from the stream bank). This appears to be an adequate approach for this compartment. However, the HPOM shows the areas of concern as "*Tylophora woollsii* buffer 50m" for all orders of stream. Based on Binns's recommendation, the second order stream buffers should be 50m wide on both sides of the stream, and third order streams should be 70m wide on both sides of the stream.

There is an area of *Tylophora* identified on the pre-logging survey map that has not been shown on the HPOM. These locations will also need to be shown on the HPOM. AMGs will also need to be provided.



## Masked Owl

*Nest site:* During the pre-logging surveys for 286 a number of records of Masked Owl were made as detailed below ("quotations" from data sheets).

- Spotlight survey 8/7/97. AMG 443800 6825200. One heard 100m east of transect.
- Call playback survey 8/7/97. AMG 443700 6825100. Two heard 150m north of site. "2 birds called. One adult and one juvenile. Juvenile called during Sooty Owl playback. Adult called during Masked Owl playback."
- Call playback survey 10/7/97. AMG 443700 6825100. Two heard 100m (+/- 20m) 23<sup>0</sup> bearing. "Juvenile in nest? assumed begging calls. Responded to Masked Owl playback. Adult called sporadically during night."
- Incidental records 10/7/97. AMG 443800 6625200. One observed "400m south-east of compartment 286 boundary gate. Observed during search for nest site."
- Incidental record 10/3/98. AMG 443800 6825200. Heard.

The adult and juvenile Masked Owl were heard calling on two separate nights, as well as the adult Masked Owl being heard and observed on a number of occasions in the area. Given the time of year (the juvenile would still have been very young and most probably still in the nest), it is highly probable that a nest exists in the area where the two individuals were heard calling. Nest sites for this species are very difficult to find given the nature of the nest. As such, given the status of the compartment, the repeated records of Masked Owl and the appropriate application of the precautionary principle, it is appropriate that the area be treated as a nest site. The most appropriate way to deal with this site would be to include it within the Masked Owl habitat exclusion area.

*Retained habitat:* The guidelines for delineation of Masked Owl habitat (set out in Attachment A of the 28 February 1998 broad area licence) have not been adequately followed. The guidelines state that in delineating habitat patches, preference should be given to using the IAP mapped habitat, then candidate old growth and then predicted high and medium forest types. Use of low habitat value forest types should be justified.

Much of compartments 286 and 287 contain IAP mapped habitat. However, the proposed Masked Owl exclusion zone for this compartment includes areas not mapped as habitat by the IAP, as well as areas of low value forest types (ie. 53), in preference to IAP mapped habitat. The retained habitat map should be amended to more adequately follow the guidelines.

*Prescription:* It is proposed that the prescription for Masked Owl (for this compartment) state that the boundary of the retained Masked Owl habitat be marked in the field by the SFO and that trees must not be felled into areas retained as Masked Owl habitat.

*Roost site:* During the pre-logging survey a possible roost site was recorded. The compartment traverse survey datasheet states that an owl feather and whitewash were located 1.3km along the traverse. The datasheet also states that the owl feather was sent to the Australian Museum for identification. Has the identification been received / confirmed? No map of the traverse was provided therefore it is unclear where this record was. The information on the datasheet implies



that the site was a roost. If so, the site must be marked on the HPOM with the appropriate buffer.

### Koala

A high use traverse section was identified during Koala traverse surveys. The subsequent star survey did not show any further areas of high use. Therefore the compartment is an 'intermediate use' area. The Harvesting Plan must clearly state that the compartment is an intermediate use area and indicate which prescription applies in this situation (ie. tree retention and no canopy gapping in preferred forest types).

### Species-specific prescriptions

- There are many prescriptions in the plan that are not relevant to the compartment (eg Squirrel Glider, frogs, parrots). The s120 licence (Condition 9 a) iv.) states that that species prescriptions that are not relevant to the compartment must not be included in the plan. This is to ensure that the plan clearly identifies what is required.
- The following prescriptions were not worded correctly in the plan (sections were missing or the wording was different to that required in the s120 licence): habitat tree retention, riparian buffers, connection corridor, rocky outcrops, caves etc, pre-logging site inspections, *Kerivoula papuensis*, Glossy Black-cockatoo and Masked Owl.
- Brush-tailed Phascogale: The harvesting plan is contradictory: in one section it says that this species was recorded within 2.5km of the compartment, and in another section it says the species was not recorded within 3km. The species has been recorded within 3km of the compartment boundary, therefore the prescription applies and habitat must be retained.
- The following prescriptions were confusing in that sections were repeated in slightly different formats / wording: Koala, CWRV, threatened bats. Prescriptions should appear in the Harvesting Plan only once, and be in the correct s120 wording.





**FPA**

**To: John Macgregor-Skinner**  
Executive Officer  
NESFHAB

**From: Russ Ainley**

19 March, 1998

**Re: URGENT RESPONSE TO OUT OF SESSION MATTERS**

I recommend that the Harvesting Plan for Cpts 286 and Cpts 196 and 199, Yabba State Forest, be approved by State Forests, for implementation as presented.

In making this recommendation I submit that Conservation Protocols must be the limit of logging restriction within these compartments. The Government's Forests Decision explicitly states that the Conservation Protocols will be applied both inside and outside the IDFA. We expect that the Decision will be maintained by the Government agencies with equal balance between conservation values and industry supply.

I further submit that the Harvesting Plans may not be diminished by prescriptions resulting from unreliable or unconfirmed fauna sightings. Any significant sightings must be verified prior to imposition of a restrictive prescription.

**COPY**



## EPA Amendments to the Harvesting Plan for Yabbra State Forest, Compartment 286.

19 March 1998

The Environment Protection Authority (EPA) has reviewed the draft harvesting plan for compartment 286 of Yabbra State Forests in the context of the Section 17D(3) notice that was issued by the EPA on 18 September 1995, as well as the licence requirements for updating the conditions applicable to the operation. The EPA acknowledges the effort that has gone into producing and updating this harvesting plan, but a number of important points need to be amended.

1. The Soil Erosion and Water Pollution Hazard Categories (SE/WPHC) have been incorrectly calculated and stated on pages 21, 54 and 58 of the harvesting plan. They to be amended to be consistent with those values given in the 17D(3) notice.
2. The proportion of dispersible soil (PDS) provided in the harvesting plan on page 21 is incorrect. It needs to be amended to be consistent with that given in the 17D(3) notice.
3. The EPA notes that State Forests will stabilise all disturbed road batters and drainage feature crossings on both roads and snig tracks with a grass seed mix at the rate of 20 kg/ha. The harvesting plan must state the time frame in which this seeding must take place from the time of initial disturbance, the EPA recommends five days from the time of the initial disturbance.
4. Description 11 (h) on page 17 under the section on '*Use of existing drainage feature crossing*' - State Forests needs to insert the sentence specified in the Section 17D(3) Notice issued on 18 September 1995. The harvesting plan must incorporate all amendments specified in this Notice.
5. Description 11 (h) on page 17 under the section on '*Use of existing drainage feature crossing*' - the EPA requires that State Forests must soil stabilise all exposed areas around the drainage feature crossing within five days.
6. Condition 4.7 (d) on page 54 under the section on '*Wet weather controls*' - State Forests needs to delete the phrase "*greater than 10 cm*" from the harvesting plan. This ensures that the harvesting plan is written in enforceable language.
7. Condition 4.7 (e) on page 55 under the section on '*Use of existing roads*' - State Forests needs to correct the citation of the road drainage spacing table in the harvesting plan. In accordance with the condition 66 of the licence, the spacing of rollover banks must not exceed the maximum spacings specified in Table 2 for WPHC 3.
8. Condition 4.7 (e) on page 55 under the section on '*Use of existing roads*' - State Forests needs to specify the location of the first road drainage structure from the



drainage line at crossing A. The harvesting plan must give a clear direction to the contractor and Supervising Forest Officer (SFO) on where to locate such structures. In addition, the harvesting plan must provide a clear indication that this structure must be installed and be effective during and upon the completion of logging operations.

9. Condition 5 of the harvesting plan (pages 64 to 67) cites a series of harvesting plan sections and page numbers incorrectly. The EPA requests that all the cross-referencing the harvesting be checked by State Forests to ensure there is no operator confusion in the field.

For example:

Condition 5.2 (b) states that "*Where they are not ..... as indicated in Table 5 in condition 4.7(i), page 57.*" should read "*Where they are not ..... as indicated in Table 4 in condition 4.7(h), page 58.*".

10. The EPA is unsure of the relevance of the 'Erosion Hazard Assessment' in the unnumbered appendix of the harvesting plan. If it is designed to provide a more detailed explanation of how the soil erosion and water pollution hazard categories were derived, then the table needs to be amended to reflect the comments made in point 1 of these notes. If it is designed to meet the requirements of RaPIC then the EPA notes that the wrong version of SOILOSS has been used.



## FACSIMILE TRANSMISSION

**To:** NESFHAB Members      **Date:** 20 March 1998  
**Fax No:** As per list      **Pages:** two, including this  
cover sheet  
**From:** John Macgregor-Skinner  
**Subject:** Resolution IDFA compartment 286 Yabba State Forest



**Confidential:** The information contained in this facsimile is intended for the named recipient only. It may contain privileged and confidential information. If you are not the intended recipient you must not copy, distribute, take action in reliance on it, or disclose any details of the facsimile to any other person, firm or corporation. If you have received this facsimile in error, please notify us immediately by reverse charge call and destroy the original.

### COMMENTS:

Please complete the following "Consideration of Matters out of Session" proforma and return it to Northern Rivers Regional office (by 1000hrs Monday 23 March 1998).

North East State Forests  
Harvesting Advisory Board

5 Scott Street  
Murwillumbah NSW 2484  
Phone (02) 66721170  
Fax (02) 66728204  
Mobile (0419) 281490  
E-mail [neversae@fan.net.au](mailto:neversae@fan.net.au)

### Sent to:

R. Ainley	0293610374
G. Beyer	66224737
I. Conley	0265822033
G. Davey	66516187
J. Gallagher	0294152949
D. Hall	66431863
R. Heron	66203958
A. Ellem	0292994797
D. Pugh	66882248
E. Stevenson	66433328

### For info:

S. Knox	66212669
J. Parry	66625826

Regards,



**NORTH EAST STATE FORESTS HARVESTING ADVISORY BOARD**

**CONSIDERATION OF MATTERS OUT OF SESSION**

**RESOLUTION:**

It is resolved that the North East State Forests Harvesting Advisory Board recommends to State Forests of NSW that the final Harvesting Plan for IDFA Compartment 286 Yabbra State Forest, Urbenville Management Area, be approved as presented on 20 March 1998 for implementation.

**AGREED** .....

**NOT AGREED** .....

**DATED** .....

**NAME (please print)**.....



20 March 1998

All HAB Members

State Forests of NSW has considered recommendations from the HAB Members regarding compartment 286 Yabbra State Forest. The enclosed harvesting plan for Yabbra 286 has been amended to include some of the recommendations. The EPA licence amendments supplied to SFNSW 20.3.98 at 14:25 have all been incorporated into the plan.

**In response to the submission received from the North East Forest Alliance the following applies.**

Masked Owl

- No actual nest site or roost has been found.
- As requested by NPWS we have extended the Masked Owl reserve as indicated on the harvest plan operational map to include the Masked Owl 'records'.

NPWS

Yellow-bellied Glider

- No v-notch trees have been recorded.
- There is no Yellow-bellied Glider record in the NPWS atlas.
- Yellow-bellied Gliders have not be recorded during the required fauna surveys.

pres.  
in.

Fauna Omissions

- The presence of Koalas has been recorded in the plan page 9.
- The Golden Tipped Bat is recorded in the plan page 9.

NP  
NP



Marbled Frogmouth

1/2 done NP

- The Marbled Frogmouth was not surveyed for. Surveys are being conducted over the weekend 21 and 22 March 1998 and the results will be incorporated into the plan as an amendment.

Brush-tailed Phascogale

NPWS

- We have included a 5 ha reserve as shown on the harvest plan map in the South-western corner of the compartment as per the S120 licence conditions.
- The actual record of this species has been recorded 2.8km from the compartment boundary. The appropriate amendment has been made in the plan.

Threatened Bats

not done NP

The conservation protocol page 49 has been included in the plan.

Tylophora Woollsii

This plant was found by Doug Binns to be strictly confined to creek banks, slopes close to gullies, usually within 10metres and steep rocky slopes elsewhere.

native wet of

stream side species

NPWS

As recommended by Doug Binns and approved by NPWS an additional 30 metre buffer either side of the riparian buffer on drainage features where the species is found should apply ie. 40m, 50m and 70m buffers. This prescription has been applied.

Rainforest Protection

NP

The rainforest is embedded within the Owl Reserve as shown on the harvest plan map. Consequently it is fully protected by the Owl Reserve conservation protocols. There will be no harvesting activity anywhere near the Rainforest.

Old Growth Protection

NP Still significant no harvest

Extra prescriptions, outside the S120 licence as recommended by NPWS have been included in the harvest plan for the protection of old growth page 33 4.5(d)

Hollow-bearing Tree Retention

The conservation protocols will be implemented as stated in the harvest plan.



Riparian Buffers

Still on my  
agenda

The conservation protocols have been adopted as per the S120 licence. Road construction, as defined in condition 11. 'Definitions' of the S120 licence includes 'tracks, fire-trails and snig-tracks'.

The widths of the riparian buffers are included in the legend of the harvest plan map.

Connection Corridors

NP

A connection corridor of 80 metres connecting two third order streams and two separate drainage systems is shown on the map.

Rocky Outcrops

NP

Any identified rocky outcrops have been protected as outlined on page 39 4.6(k).

Fire Protection

Send for

The burning prescriptions relevant to the conservation protocols are included in sections 4 & 6 prescription 3 page 45 and prescription 8 page 47.

Silviculture

✓

The word 'all' has been removed from 2.2 description 6(a) silviculture, point 1.

No further alterations will be made to the wording in the current plan under silviculture.

However please note that as outlined in the S120 licence the Australia Group Selection method will not be applied in the intermediate use Koala area as defined on the harvest plan operational map.

Tree Marking

NP

The harvest plan has been amended so that tree marking will be conducted in accordance with the S120 licence.

Breaches

Compliance checks will be carried out in the form of daily and fortnightly reporting as detailed in 5.3 (a) page 61 of the plan.

Typos

All types have been amended.



## Part 2

- All issues addressed in previous sections
- Bell Minor dieback research is ongoing and dependent on funding and staff time.

**In response to the submission received from NPWS the following applies.**

### Riparian Buffers

Errors detected by NPWS have been corrected on the Harvest plan operational map.

### Connection Corridors

NPWS recommendations regarding placement and width of connection corridors have been accepted and implemented.

### Rocky Outcrops

Please refer to comments made to NEFA.

### Canopy Gapping

Canopy gapping will be in accordance with the Koala Prescriptions ie No AGS in intermediate areas.

### Old Growth

Recommendations accepted and incorporated into harvest plan.

### Flora

Prescriptions have been amended to incorporate Doug Birns' recommendations of additional 30m buffers on either side of appropriate drainage features as described in the response to NEFA.

The area of *Tylophora* identified on the pre-logging survey map has been shown on the harvest plan operational map.

### Reporting Requirements

The Harvesting Plan map has been amended to display at the standard scale all threatened species records and threatened fauna features requiring prescriptions. The Harvest Plan Map has been amended to display the management actions for each threatened species records and threatened fauna features requiring prescriptions.



It is impossible to display all threatened species records identified in the database search on the Harvest Plan Map particularly the species on private property. Copies of the database search information have been attached to the Harvest Plan to attempt to fulfil the documentation requirements.

### Masked Owl

The area containing three separate Masked Owl records has been included in the Masked Owl Habitat Exclusion Zone.

There has been no record of a Masked Owl roost site or nest site. The only records available are of calls from Juvenile Masked Owls, which does not substitute a nest site. Numerous surveys have been conducted around the area where the juvenile calls were heard but have failed to locate either a nest site or roost site.

The owl feather and white wash described in the survey data sheet has been identified as a kookaburra feather and kookaburra whitewash.

The majority of the Masked Owl Habitat Exclusion Zone (MOEZ) contains Habitat Class 2 as identified on the IAP Maps. The MOEZ also contains Habitat Class 3 and Non IAP Mapped habitat areas. The justification for not including Habitat Class 1 is either >2km from the compartment boundary or recently logged.

The decision to reserve the indicated IAP Mapped Habitat Class 2, 3 and Non Mapped habitat is in line with the Government objective of maintaining conservation values and timber supply.

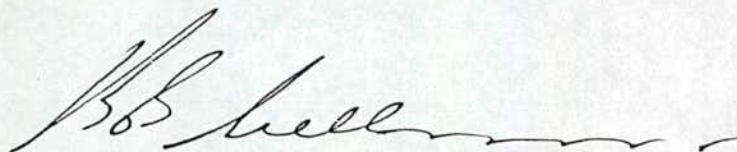
The recommendation of marking the MOEZ in the field by the SFO has been accepted and incorporated into the harvesting plan.

### Koalas

All appropriate Koala prescriptions have been applied.

### Species/Specific Prescriptions

- Non relevant prescriptions have been deleted.
- Prescription wording has been amended.
- Brush-Tailed Phascogale has been recorded as being 2.8 km from the compartment boundary.
- Prescriptions have been corrected to include S120 wording.



**RJ Williams**  
**Planning Manager**











<b>Harvesting Advisory Board deliberations on access to Cpt. 286 Yabbra SF</b>			
<b>Organisation / Group Represented</b>	<b>Member</b>	<b>Agree / Disagree</b>	<b>Comments or requests for additional conditions</b>
Chair person	Stephanie Knox	Response not received	Independent Chair will not usually vote
SFNSW	Jacqui Parry	Agreed	
NP&WS	Gary Davey	Agreed subject to further amendments to Harvesting Plan	Detailed submission confirming compliance with amendments previously requested, and recommending a further 12 amendments.
EPA	Jill Gallagher	Agreed	Expressed concerns about the possibility of non-compliance problems and recommended advice to NEHAB about improvements to supervision and monitoring systems
Nature Conservation Council	Dailan Pugh Georgia Beyer Daniel Hall (Joint submission)	Disagreed Disagreed Disagreed	Requested additional conservation protection, demonstration that compliance management had improved and demonstrate that all practical alternatives to accessing IDFA have been exhausted.
Timber Industry Representatives	Russ Ainley	Agreed	Registered a protest about application of prescriptions in excess of legal requirements (e.g. in excess of Conservation Protocols)
Timber Industry Representatives	Ian Conley	Agreed	As above
Timber Industry Representatives	Ewan Stephenson	Agreed	No further comment
Union Representative	Kelly Livingstone	Agreed	No further comment
Aboriginal Community Representative	Ron Herron	Agreed	Agreement qualified "so long as the NP&WS do their thing" and protested about out of session voting
NO. MEMBERS (EXCLUDING CHAIR)			11
TOTAL RESPONDED			11
TOTAL AGREED			8
TOTAL DISAGREED			3
<b>OUTCOME</b>		<p><b>Terms of Reference aims ideally for consensus but as a minimum requires a two thirds majority.</b></p> <p><b>There is greater than a two thirds majority of Board (excluding the Independent Chair) in agreement.</b></p>	



**Report on performance of the agreed process for Cpt 286 Yabbra SF**

WHO	WHAT	BY WHEN
SFNSW	Provide a copy of the recent flora and fauna reports for this compartment to each HAB member	Close of Bus. Tuesday 17th March <b>ACHIEVED</b>
All HAB members	Consider the Harvesting Plan presented with the business papers for today's meeting, and the flora and fauna report, and advise (by return fax) their recommendation for approval of the harvesting plan as presented, or suggested amendments.	9 am Friday 20th March <b>MOST PROVIDED ON TIME</b>
SFNSW (NP&WS)	Considers the responses, consults with the relevant regulatory authorities (including NP&WS) and determines through consultation how any suggested amendments should be dealt with.	Friday 20th March <b>ACHIEVED</b>
SFNSW	Finalises the Harvesting Plan, taking into consideration issues raised by HAB members, prepares advice to HAB members on how the issues were dealt with.	Friday 20th March <b>ACHIEVED</b>
SFNSW	Distributes the final Harvesting Plan and the advice to all HAB members (overnight by courier or by hand as arranged with each HAB member), with a covering sheet on which HAB members must record their final recommendation on approval of the Harvesting Plan.	Close of business Friday 20th March <b>ACHIEVED EXCEPT FOR DELAY IN DELIVERY TO NP&amp;WS</b>
All HAB members	Advise SFNSW, by faxing the completed covering sheet, of their final recommendation.	10 am Monday 23rd March <b>2 RESPONSES RECEIVED ON TIME, 7 RECEIVED LATE (UP TO 6 PM MON.) 2 RESPONSES TUE 24th</b>
SFNSW	Advise HAB members by return fax of the outcome.	Close of business Monday 23rd March. <b>ADVICE ISSUED 6PM MON. 23<sup>RD</sup> &amp; TUES 24th</b>
SFNSW	Provide copies of the final Harvesting Plan to SFO's and contractors, read through the plan with them in the field and commence tree marking in preparation for harvesting to commence.	23 - 25th March <b>DELAYED DUE TO DELAYS IN HAB RESPONSES</b>

**NOTE :**

(1) ALL HAB MEMBERS MUST STAY IN CLOSE CONTACT WITH HAB EXECUTIVE OFFICER JOHN MCGREGOR SKINNER DURING THIS PERIOD SO THAT ARRANGEMENTS CAN BE MADE FOR URGENT DELIVERY OF PAPERS.

(2) HARVESTING WILL BE DELAYED BY THE DELAY IN HAB MEMBERS RESPONSES.



**The agreed process for Cpt 196 and 199 Yabbra SF**

WHO	WHAT	BY WHEN
All HAB members	Provide their preliminary comments on the draft Harvesting Plan presented with the business papers for today's meeting.	Close of bus. Tuesday 24th March <b>REMINDER SENT 7AM 24TH</b>
SFNSW	Completes outstanding spring/summer flora and fauna survey, incorporates prescriptions arising from information provided in those surveys.  Considers and incorporates, as appropriate, issues raised by HAB members in their preliminary comments.  Completes the harvesting plan.  Provides a copy of the flora and fauna reports and the completed Harvesting Plan to each HAB member.	Close of Bus. Wednesday 25th March
All HAB members	Consider the Harvesting Plan and the flora and fauna report, and advise (by return fax) their recommendation for approval of the harvesting plan as presented, or suggested amendments.	Close of Bus. Wednesday 1st April
SFNSW (NP&WS)	Considers the responses, consults with the relevant regulatory authorities (including NP&WS) and determines through consultation how any suggested amendments should be dealt with.	Friday 3rd April
SFNSW	Finalises the Harvesting Plan, taking into consideration issues raised by HAB members, prepares advice to HAB members on how the issues were dealt with.	Friday 3rd April
SFNSW	Distributes the final Harvesting Plan and the advice to all HAB members (overnight by courier or by hand as arranged with each HAB member), with a covering sheet on which HAB members must record their final recommendation on approval of the Harvesting Plan.	Close of Bus. Friday 3rd April
All HAB members	Advise SFNSW, by faxing the completed covering sheet, of their final recommendation.	Close of bus. Wednesday 8th April
SFNSW	Advise HAB members by return fax of the outcome.	Close of bus. Thursday 9th April.
SFNSW	Provide copies of the final Harvesting Plan to SFO's and contractors, read through the plan with them in the field and commence tree marking in preparation for harvesting to commence	14 -15th April
<p><b>NOTE : (1) ALL HAB MEMBERS MUST STAY IN CLOSE CONTACT WITH HAB EXECUTIVE OFFICER JOHN MCGREGOR SKINNER DURING THIS PERIOD SO THAT ARRANGEMENTS CAN BE MADE FOR URGENT DELIVERY OF PAPERS.</b></p> <p><b>(2) THE EARLIEST THAT HARVESTING COULD COMMENCE IF ALL DEADLINES ARE MET IS WEDNESDAY 15TH APRIL, noting that April 10 to 13 is the Easter break.</b></p>		



**Progress Report on process for compartment selection as agreed at HAB meeting Tuesday 17 March 1998**

WHO	WHAT	BY WHEN
SFNSW	STEP 1 Seeks to obtain information on all IDFA and non-IDFA compartments in Northern Rivers Region, Grafton and Coffs Harbour MA's, showing total volume and volume per hectare for each compartment	Wed. 18 March <b>ACHIEVED</b>
SFNSW	STEP 2 At HAB meeting, demonstrate need for estimated volume of timber from IDFA compartments. The volume of timber should be sufficient to supply commitments through until 31 March 1998	Wed. 18 March <b>PRESENTED</b> 17 March
SFNSW & NP&WS	STEP 3 Meet at NP&WS Northern Zone team office to evaluate compartments on basis of : conservation value, including extent of value across cpt reserve design, NP&WS and SFNSW knowledge of conservation and wood supply values, wood supply value, species mix	<b>IN PROGRESS</b>
SFNSW & NP&WS	STEP 4 Recommend a list of cpts that meet the target volume identified in Step 2 and including an additional 25% volume to allow for compartment or volume loss in the remainder of the process. This table is to be jointly approved by Regional Managers, Mid North Coast and Northern Rivers Region	<b>7 April</b>
SFNSW	STEP 5 Circulates the list from Step 4 to all HAB members	<b>7 April</b>
ALL HAB MEMBERS	Consider and comment on the list	<b>17 April</b>
SFNSW & NP&WS	STEP 6 briefly review and quantify possible harvesting restrictions for cpts on the list	<b>17 April</b>
SFNSW & NP&WS	STEP 7 meet to consider submissions from HAB members and the results of Step 6 and prepare a report refining the list of cpts. This report should include reasons for decisions. This report is to be jointly approved by RM's Mid North Coast and Northern Rivers Region. Rep	<b>24 April</b>
SFNSW	STEP 8 Circulates the report to all HAB members	<b>27 April</b>
ALL HAB MEMBERS	STEP 9 HAB deliberates at the meeting and makes recommendations on desired outcomes	<b>7 May</b>
SFNSW	STEP 10 commences harvesting planning on basis of these recommendations	

NOTE : Any changes to the above timelines must be approved by the Manager Np&WS Northern Zone Team and the Regional Manager, Northern Rivers Region. The date of the next meeting is dependent on Step 8 being completed on 27 April. Any time slippage on the above process will be reported to HAB members by Memorandum within 7 days of it occurring, and will include an estimate of revised timelines.



## Northern Rivers Region



**To** Stephanie Knox, Chair, Harvesting Advisory Board  
Members of the Harvesting Advisory Board.

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**From** Jacqui Parry, Regional Manager, Northern Rivers Region

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**Date** 26/3/98 31/3/98

---

**Subject** Approval of Final Harvesting Plan IDFA Cpt 286, Yabbra SF

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**File No** 413b

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As previously advised, a clear majority of the Harvesting Advisory Board has voted to recommend approval of the Harvesting Plan for IDFA compartment 286. Approval in some cases was given subject to certain recommendations being accepted and some further minor amendments being made to the plan. Some recommendations were unclear and needed further resolution. This was achieved by further discussion with individual Board members. This has caused some unavoidable delay in commencement of harvesting.

The amendments have now been made. I wish to advise you that, with the consent of the Chief Executive of State Forests, I propose to approve and implement the Harvesting Plan as amended. I have attached an implementation program (**Attachment 1**) which details the resources that we will devote to ensuring that harvesting is well supervised. As you can see, we will be involving some very senior, very skilled and experienced staff, whose responsibilities are clearly identified and there are considerable quality control processes built into the implementation program.

It is proposed that, subject to the availability of the Divisional Flora Ecologist to identify plants to be protected, tree marking will commence tomorrow, and harvesting will commence on Friday 3rd April 1998. Board members who would like to obtain a final copy of the plan should contact Bob Williams.

**FAXED**  
7:30  
31/3/98



Harvesting Advisory Board members who wish to inspect the work personally are welcome to do so, and should contact our Regional Forest Planner, Karel Zejbrlik, to arrange an inspection. It will be necessary for any visitors to the operation to wear appropriate gear (hard hat, high visibility vests and appropriate footwear). If any Harvesting Advisory Board members have any concerns about the implementation program, or the quality of the work, you are encouraged to advise us at any time of any problems.

It is regretted that we have not been able to achieve full consensus. Nonetheless, Board members views are valued and respected. We hope that the process, the quality of the service we have provided in handling those views, meeting tight deadlines and supervising the operation when it commences, will build sufficient trust and confidence in future to achieve consensus.

I have attached a summary of how each issue raised by the Board was handled **(Attachment 2)** . I have also attached for your information a copy of each of the final submissions by Board members to ensure the process is completely transparent. **(Attachment 3)**, and a summary of progress on improvements to Planning and Supervision of logging since Whian Whian, **(Attachment 4)**

Thankyou again for your out of session work. We will report to you in the near future on progress with cpts 199/196 and the work that Mark Carron and Tessa Lock are doing on our Plan of Operations.



**Jacqui Parry**

**Regional Manager,**

**Northern Rivers Region**

**CC: Bob Smith, Chief Executive**

**Graeme King, General Manager, Native Forests Division**



**Attachment 1 - Implementation program for IDFA Cpt. 286, Yabbra SF**

<b>WHO</b>	<b>TASK and RESPONSIBILITY</b>	<b>WHEN</b>
Chief Executive	Approve harvesting to commence	Tues. 31 <sup>st</sup> March
Regional Manager	Check and approve the final Harvesting Plan and ensure all final amendments are included. Address implementation team (including contractor) to ensure each person is clear on their responsibilities, on the importance of ensuring the plan is complied with, and on how to seek assistance if the plan is not clear or they have difficulty implementing it.	Tues 31 <sup>st</sup> March Thur 26 <sup>th</sup> March and Tues 31 <sup>st</sup> March
Regional Forest Planner Forest Planner Senior SFO SFO	Familiarise themselves with the compartment and harvesting plan. Identify any areas of uncertainty in the harvesting plan or any practical difficulties in implementation, including roading.	Fri. 27 <sup>th</sup> March And Tues 31 <sup>st</sup> March
Regional Works Supervisor	Assess minor road maintenance works to be undertaken and advise Regional Forest Planner when it will be complete. Complete road maintenance works in accordance with plan	Fri 27 <sup>th</sup> March Work to be undertaken by contractor on Friday 3 <sup>rd</sup> April
Regional Ecologist and Divisional Flora Ecologist	Familiarisation with the compartment. Identify the conservation features to be protected, and commence location and field marking of populations of rare or endangered plants to be protected. Clearly demonstrate to SFO's how and where these features are marked in the field Provide advice and support to RFP and SFO's in implementation	Wed 1 <sup>st</sup> April  Throughout tree marking, harvesting and supervision
Divisional Fauna Ecologists	Familiarisation with the compartment. Identify the fauna conservation features to be protected, and commence location and field marking of fauna habitat features to be protected. Clearly demonstrate to SFO's how and where these features are marked in the field Ensure contractor and fallers know how to identify a Yellow Bellied Glider V-notch tree and Owl nest or roost  Provide advice and support to RFP and SFO's in implementation	Tuesday 31 <sup>st</sup> March and Wed 1 <sup>st</sup> April   Throughout tree marking, harvesting and supervision



WHO	TASK and RESPONSIBILITY	WHEN
Regional Forest Planner	<p>Ensures that the implementation team clearly understand the harvesting plan.</p> <p>Provides decision-making support to Forest Planner, FA, and SFO's.</p> <p>Visits the logging operation <b>once a week</b> to undertake a compliance and quality check on supervision</p> <p>Co-ordinates inspections by Harvesting Advisory Board members.</p>	Throughout tree marking, harvesting and supervision
Forest Planner	<p>Provides decision-making support in the field to FA, and SFO's.</p> <p>Visits the logging operation <b>twice a week</b> to undertake a compliance and quality check on supervision</p>	Throughout tree marking, harvesting and supervision
Senior SFO Assisted by SFO	<p>Undertakes identification of critical boundaries and tree marking</p> <p>Advises logging contractor when to commence</p>	Mon 30 <sup>th</sup> March and ongoing
Forest Assistant	Monitors and reports on supervision to Regional Forest Planner. Promptly communicates any difficulties or instances of non-compliance to Regional Forest Planner.	Throughout tree marking, harvesting and supervision
Senior SFO  FA	<p>Responsible for quality checking tree marking and ensuring all critical boundaries and other tree marking is accurate and clear, and in accordance with the harvesting plan</p> <p>Visits the operations <b>each day for first three days</b> of operations to undertake quality checks</p>	<p>Up to 3<sup>rd</sup> April</p> <p>Takes over after 3<sup>rd</sup> April</p>
SFO	<p>Supervises operations and ensures that the harvesting plan is implemented fully and operations are conducted in accordance with the Harvesting Plan and Code of Logging Practice and field tree marking.</p> <p>Must be present and undertake supervision <b>every day</b> that operations are being carried out (including any road maintenance works).</p> <p>Must prepare and submit to the FA a supervision checklist <b>each Friday</b>.</p>	Throughout tree marking, harvesting and supervision
Logging Contractor	<p>Must read and understand the Harvesting Plan before commencing operations</p> <p>Must ensure operations are not commenced in any part of the compartment until all marking of critical boundaries and treemarking in that part is completed, and he is advised of completion by the SFO.</p> <p>Must ensure his crew operate in accordance with the Harvesting Plan</p> <p>Reports to the SFO immediately any instance of non-compliance, explaining the reasons for it , and undertaking any remedial action promptly as directed by the SFO</p> <p>Will not allow operations to proceed on weekends or Public Holidays.</p>	Throughout tree marking, harvesting and supervision
Forest Planner	Undertakes an audit on completion of operations and reports to the Regional Planning Manager	On completion



**Attachment 2 - Summary of Issues raised by NE Harvesting Advisory Board members  
in response to the final Harvesting Plan for cpt. 286, Yabbra SF.**

<b>HAB Member</b>	<b>Issue</b>	<b>Outcome</b>
Jacqui Parry	Recommended approval of the harvesting plan	
Russ Ainley Industry Rep	Excessive restrictions beyond Conservation Protocols have been applied to the Harvesting Plan. A number of specific examples were cited.	SFNSW has consulted the NP&WS on these prescriptions. NP&WS advises that these additional prescriptions are necessary as a precautionary approach to protection of high conservation value of IDFA cpts
Ewan Stephenson	No issues raised	
Ian Conley Industry Representative	Excessive restrictions beyond Conservation Protocols have been applied to the Harvesting Plan. A number of specific examples were cited.	As above
Kelly Livingstone CFMEU	No issues raised	
Ron Herron	Approved only if NP&WS did there thing (advised to mean if NP&WS recommendations accepted)	NP&WS recommendations were accepted
Jill Gallagher	EPA satisfied that all matters relevant to the PCL have been incorporated into the plan. Raised concerns about potential for compliance problems to recur. Requests that measures to prevent non-compliance be communicated to HAB.	An implementation program for this compartment and a brief report on improvements made in planning and supervision are included with this report to demonstrate improvements. This program has been designed specifically to address improvements in supervision.
Gary Davey, NP&WS	Provided a detailed submission, confirming matters dealt with as requested in earlier comments and making a further 12 recommendations for amendments to the Harvesting Plan and conditions for variation to the S.120 Licence	Some parts of the submission were confusing or indicated conflicting requirements. These were resolved by further discussion late on 24/3/98. All recommendations as clarified have been accepted. Some recommendations were accepted under protest, as they did not appear to SFNSW to be justified on ecological grounds. We have requested a review of implementation of Conservation Protocols and prescriptions in the near future



HAB Member	Issue	Outcome
<p>Dailan Pugh Georgia Beyer, Daniel Hall Nature Conservation Council (NEFA)</p>	<p>Provided a detailed submission raising the following issues :</p> <ol style="list-style-type: none"> <li>1. Masked Owl exclusion area is inadequate. The 300 ha exclusion area should be applied as a contiguous block centred around the area where young were found</li> <li>2. Tylophora woollsii, - the area reserved is not adequate, comprehensive surveys should be undertaken prior to harvesting, a buffer of 100 m. is needed to protect the plant from logging</li> <li>3. Retention of old Trees – trees &gt;1m (in diameter) (for food, seed and habitat)</li> <li>4. Snig tracks should not be re-opened in riparian buffers</li> <li>5. Canopy retention – 50% of the canopy should be retained to protect conservation values</li> <li>6. Marbled Frogmouth – survey results should be provided</li> <li>7. Compliance – SFNSW needs to demonstrate implements in planning and auditing processes to avoid breaches. Compliance checks should be carried out weekly by SFO's. Problems in compliance should be reported to HAB and joint field inspection arranged.</li> <li>8. IDFA access – we accept there may be a need to access IDFA's for logging, but do not believe it has been established in this instance that all practicable alternatives have been exhausted. Where IDFA cpts are proven to be needed, the plan must go beyond conservation protocols to protect conservation values.</li> </ol>	<p>The NEFA submission was referred to the NP&amp;WS who advised that the prescriptions they recommended were adequate to protect conservation values and there was inadequate justification on ecological grounds for any further prescriptions.</p> <ol style="list-style-type: none"> <li>1. An additional masked owl exclusion area of approx. 37 ha was added. This included the site of the juvenile record. A connection corridor of 80m width links it to the 300 ha owl reserve on the eastern end of cpt 286 and in cpt 287. The NP&amp;WS recommendation to include an additional 50 metre buffer around the nest site, if it was not already included in the mapped exclusion area, was also accepted.</li> <li>2. This species was found in pre-planning flora survey within 10 metres of filter strips near dump F. The Native Forests Divisional Flora Ecologist recommended 50 metre buffers be applied to each side of second order streams, and 70 metre buffers be applied to both sides of third order streams. These recommendations have been included in the plan. The NP&amp;WS considers this is adequate protection</li> <li>3. NEFA advised the justification for this recommendation was that these trees were 100's of years old, had nectar, seed and hollows for fauna habitat. This recommendation was discussed with NP&amp;WS who agreed that Habitat tree, and Recruitment habitat tree prescriptions adequately conserved these resources</li> <li>4. This recommendation was accepted</li> <li>5. This recommendation was discussed with NP&amp;WS, who agreed this would largely be achieved by prescriptions already included in the plan and there was <sup>NE</sup> need to include it given that AGS would not be practised in this compartment.</li> <li>6. The Native Forests Division Fauna Ecologist advises, there are no records of Marbled Frogmouth within 2 Km of the cpt. There is no potential Habitat within the net loggable area, therefore surveys are not required. A playback survey was conducted in association with owl survey.</li> <li>7. An implementation program for this compartment and a brief report on improvements made in planning and supervision are included with this report to demonstrate improvements.</li> <li>8. A report on the Board's deliberations on the need for IDFA access are included to demonstrate that access to this cpt was necessary, and was approved by a clear majority of the Board.</li> </ol>



**Attachment 3**

**Copies of Final Submissions by NE HAB members**



Copies of final submissions  
are being mailed to you tomorrow

<b>Harvesting Advisory Board deliberations on access to Cpt. 286 Yabbra SF</b>			
<b>Organisation / Group Represented</b>	<b>Member</b>	<b>Agree / Disagree</b>	<b>Comments or requests for additional conditions</b>
Chair person	Stephanie Knox	Response not received	Independent Chair will not usually vote
SFNSW	Jacqui Parry	Agreed	
NP&WS	Gary Davey	Agreed subject to further amendments to Harvesting Plan	Detailed submission confirming compliance with amendments previously requested, and recommending a further 12 amendments.
EPA	Jill Gallagher	Agreed	Expressed concerns about the possibility of non-compliance problems and recommended advice to NEHAB about improvements to supervision and monitoring systems
Nature Conservation Council	Dailan Pugh Georgia Beyer Daniel Hall (joint submission)	Disagreed Disagreed Disagreed	Requested additional conservation protection, demonstration that compliance management had improved and demonstrate that all practical alternatives to accessing IDFA have been exhausted.
Timber Industry Representatives	Russ Ainley	Agreed	Registered a protest about application of prescriptions in excess of legal requirements (e.g. in excess of Conservation Protocols)
Timber Industry Representatives	Ian Conley	Agreed	As above
Timber Industry Representatives	Ewan Stephenson	Agreed	No further comment
Union Representative	Kelly Livingstone	Agreed	No further comment
Aboriginal Community Representative	Ron Herron	Agreed	Agreement qualified "so long as the NP&WS do their thing" and protested about out of session voting
NO. MEMBERS (EXCLUDING CHAIR)		11	
TOTAL RESPONDED		11	
TOTAL AGREED		8	
TOTAL DISAGREED		3	
<b>OUTCOME</b>		<p><b>Terms of Reference aims ideally for consensus but as a minimum requires a two thirds majority.</b></p> <p><b>There is greater than a two thirds majority of Board (excluding the Independent Chair) in agreement.</b></p>	



# **NORTH EAST STATE FORESTS HARVESTING ADVISORY BOARD**

## **CONSIDERATION OF MATTERS OUT OF SESSION**

### **RESOLUTION:**

It is resolved that the North East State Forests Harvesting Advisory Board recommends to State Forests of NSW that the final Harvesting Plan for IDFA Compartment 286 Yabba State Forest, Urbenville Management Area, be approved as presented on 20 March 1998 for implementation.

**AGREED**

*[Handwritten signature]*  
.....

**NOT AGREED**

.....

**DATED**

.....

**NAME (please print)**

*Jacqui Parry*  
.....



# NORTH EAST STATE FORESTS HARVESTING ADVISORY BOARD

## CONSIDERATION OF MATTERS OUT OF SESSION

### RESOLUTION:

It is resolved that the North East State Forests Harvesting Advisory Board recommends to State Forests of NSW that the final Harvesting Plan for IDFA Compartment 286 Yabbra State Forest, Urbenville Management Area, be approved as presented on 20 March 1998 for implementation.

AGREED

*Gary Davey*

NOT AGREED

.....

DATED

24 March 1998

NAME (please print).....

GARY Davey

The above agreement is subject to the remaining outstanding matters included in the memorandum from Steed to Davey be resolved between SFNSW and NPWS. Harvesting (if release of the compartment is approved by the HAB) may not commence until a licence variation is issued for this particular operation.

*Gary Davey*



FACSIMILE MESSAGE



To: Jacqui Parry Fax No.: \_\_\_\_\_  
 From: Gary Dawey  
 Date: 24.03.98 Time: \_\_\_\_\_ No. of pages following: 6  
 Subject: Cpt 286

NORTHERN ZONE  
 GIO House  
 24 Moonec Street  
 Coffs Harbour 2450  
 Tel: (066) 515 946  
 Fax: (066) 516.187

Comments:

Jacqui -  
 attached are comments on revised  
 HP for Yabirra 286. I endorse  
 Andrew Steed's comments.  
 I have included the voting slip for  
 the comph and have voted in favour  
 of release on the understanding that  
 the issues of concern outstanding are  
 resolved.

A separate license variation will be  
 required.

In the first instance, please contact  
 Andrew to discuss particular issues.

Cheers

COPY

NSW  
 NATIONAL  
 PARKS AND  
 WILDLIFE  
 SERVICE



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# MEMORANDUM

## NORTHERN ZONE

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DATE: 24 March, 1998

TO: Gary Davey

FROM: Andrew Steed

SUBJECT: Compartment 286, Yabbra State Forest

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NPWS Northern Zone received the revised Harvesting Plan at 1.00 pm on Monday 23 March 1998. In terms of the concerns raised in the NPWS letter, dated 18 March 1998, to Regional planning Manager, the revised Harvesting Plan has been amended in the following manner:

1. Riparian Buffers: All buffer widths have been amended as per NPWS recommendations dated 18 March 1998.
2. Connection Corridor: A 80 metre wide Connection Corridor connecting two third order drainage systems has been marked on the Harvesting Plan Operational Map, as per NPWS recommendations dated 18 March 1998. The Connection Corridor abuts private property, and the full 80m width will need to be included in compartment 286.
3. Rocky Outcrops: SFNSW have indicated that the rocky outcrops are less than 0.5 ha, and the required 20 m buffer is incorporated within the exclusion areas marked in the Harvesting Plan Operational Map for *Tylophora woolsii* and *Plectranthus* species. Therefore, the Harvesting Plan Operational Map has not identified the exact location of these rocky outcrops. It would be appropriate to include the location of these rocky outcrops on a separate map, along with all threatened species records that trigger prescriptions and all threatened fauna features.
4. Tree marking: The Harvesting Plan still states that trees will be marked for removal with all critical boundaries marked for retention. This is contrary to the Conservation Protocols General Prescription 4 and Prescription 1 of the Schedule attached to Condition 12 of the standard Section 120 licence. This prescription requires that hollow-bearing and recruitment trees must be scattered throughout the net logging area and must be marked for retention.
5. Canopy gapping: The Harvesting Plan states that the Australian Group Selection practice and gaps and cluster silvicultural techniques must not be used in this compartment.
6. Old Growth: The Harvesting Plan states that due to the inaccessibility and lack of merchantable timber, the BOGMP Candidate Old Growth area has been accepted and the area reserved. While the reporting requirements have not been met, the intention to exclude specified forestry activities effectively negates the need to report the results of any assessments of



Candidate Old Growth. The Harvesting Plan has also adopted the prescription recommended by NPWS on 18 March 1998 for the protection of old growth.

6. Reporting requirements: In the letter accompanying the Harvesting Plan, it states that:

"The Harvesting Plan map has been amended to display at the standard scale all threatened species records and threatened fauna features requiring prescriptions. It is impossible to include all threatened species record identified in the database search on the Harvesting Plan map particularly the species on private land. Copies of the database search information have been attached to the Harvesting Plan to attempt to fulfil the documentation requirements."

While this may not be accordance with the reporting requirements of the Threatened Species Pre-Roading and pre-Logging Survey Design (TSSD), all areas excluded from specified forestry activities (as a result of threatened species identified during the TSSD) are marked on the Harvesting Plan Operational Map. (This is relevant where threatened species records are over 2 km from the compartment boundary and would not appear on the Harvesting Plan Operational Map if reproduced at the standard scale of 1:15,000.) It does not, however, identify those prescriptions which modify activities as a result of threatened species identified during the TSSD, and while the above problem of the proximity of the threatened species record to the compartment remains, there needs to be some mechanism to identify that a specific prescription is to be applied, eg threatened bats and restriction of burning.

More specifically, there are still problems with other aspects of the reporting requirements. For example, a hollow bearing tree was recorded as a possible habitat for owls, bats and arboreal mammals along a compartment transect, but was not mapped on the Harvesting Plan Operational Map. Similarly, an *Allocasuarina* tree with greater than 50 chewed cones beneath it has not been marked on the Harvesting Plan Operational Map. These trees should have been marked for retention. Further, the flora and threatened flora transects do not record the AMG for *Tylophora woolsii* and the locations are not marked in the Harvesting Plan Operational Map, other than by the identification of exclusion areas. It would be appropriate to include a third map showing the location of all threatened species (within 2 or 5 km of the compartment) that trigger prescriptions, rocky outcrops and threatened fauna features located in the compartment. This would clearly show why exclusion areas had been applied and would indicate where modified prescriptions would apply.

Further, the Harvesting Plan failed to include in Table 1 of the Harvesting Plan a Yellow-bellied Glider recorded opportunistically during ~~ing~~ the TSSD on private property immediately adjacent to compartment. (Further, the statement on p. 35 of the Harvesting Plan that no other species - apart from Masked Owl, Koala, Golden-tipped Bat, Glossy Black-Cockatoo - were observed during inspections is incorrect.) As the record is about ~~150 metres~~ from the compartment boundary, the Yellow-bellied Glider prescription should have been included in the Harvesting Plan. There are also a number of unconfirmed Yellow-bellied Glider records made by Georgia Beyer, however the locational details of these records have not yet been provided to NPWS or SFNSW and therefore have not been included in the Harvesting Plan. Nevertheless, it indicates that Yellow-bellied Glider are likely to be present in the compartment and therefore the prescription should be applied.

The cut-off is 100m for this protocol to be triggered.



7. Flora: The *Tylophora woolsii* buffers, recommended by NPWS on 18 March 1998, on either side of creeks in the areas where *Tylophora woolsii* was recorded by Binns have been adopted. The Harvesting Plan also contains the correct prescription for threatened flora species, including any *Tylophora woolsii* located outside of the marked exclusion areas.

8. Masked Owl: There has been considerable debate about the veracity of claims that there is a Masked Owl roost or nest in the area where both adults and juvenile Masked Owl have been recorded. Without the confirmation of the location of a nest or roost tree in this area, it is not possible to implement the nest or roost site prescription. The report of a Masked Owl feather and whitewash has been confirmed as being from a Kookaburra, however the source of this determination has not been provided.

Further investigation of the Masked Owl observation area on 19 March 1998, revealed the presence of whitewash under a hollow on the eastern side of a large stringybark (#8 and marked on its eastern side by two dinner sized flour-pink circles). No AMG is given for the location of this tree and the attached map is difficult to interpret. As stated in the supplementary TSSD report, received 24 March 1998, it indicates the presence of a large hollow-nesting roosting bird, and as such should have been regarded as a threatened fauna feature and marked in the field and in the Harvesting Plan. However, in view of the substantial evidence that a breeding Masked Owl pair are likely to reside in the immediate area, this tree should be regarded as a Masked Owl nest and the appropriate prescription (50m exclusion area) applied. This exclusion area should be marked on the Harvesting Plan Operational Map if it includes areas not contained in the marked Masked Owl habitat exclusion area.

Nevertheless, a Masked Owl habitat exclusion area has been applied in the area immediately surrounding the adult and juvenile Masked Owl records and this effectively buffers these records by about 50 metres. There are, however two other problems concerning the application of the Masked Owl prescription. The first is the isolation of the Masked Owl exclusion area containing the adult and juvenile Masked Owl records from the other exclusion areas. The second is the exclusion of the whole of the adjacent compartment (287) which has been recently logged (1996/97) and contains Masked Owl habitat that is sub-optimal (by IAP modelling) to areas in the north of compartment 286 (that have not been excluded from specified forestry activities). The application of the Masked Owl prescription in this instance is interpreted as not applying the intent of the Conservation Protocol.

The NPWS recommendation of 18 March 1998 that the boundary of the retained Masked Owl habitat be marked in the field by the SFO and that trees must not be felled into areas retained as Masked Owl habitat has been included in the Harvesting Plan.

9. Koala: The Harvesting Plan states that the compartment is an intermediate Koala use area and specifically states that Australian Group Selection practice and gaps and cluster silvicultural techniques must not be used in this compartment. This addresses the NPWS concerns.

10. Non-relevant prescriptions: While non-relevant prescriptions such as Squirrel Glider, Threatened Frogs and Parrots have been deleted from the Harvesting Plan as recommended, prescriptions for Bush Thick-Knee, Albert's Lyrebird, Long-nosed Potoroo and a number of Threatened Bats are still included in the Harvesting Plan, even though these species have not been recorded within 2 km of the compartment.



The Harvesting Plan includes a prescriptions for rainforest protection that contains an alteration to the Conservation Protocol prescription which has not been agreed to be both the NPWS and SFNSW. This alteration states that harvesting machinery may cross the (mapped rainforest) boundary along an existing road or snig track identified on the Harvesting Plan to access areas on the other side of the rainforest. This alteration has not been agreed to be NPWS and therefore should be removed. Further, is not applicable in the compartment as the rainforest is embedded in the Masked Owl exclusion area and the Harvesting Plan does not show any existing roads or tracks in the rainforest area.

11. Incorrectly worded prescriptions: the Harvesting Plan has amended the incorrectly worded prescriptions so that they are now consistent with the Conservation Protocols and standard section 120 licence conditions.

12. Brush-tailed Phascogale: the Harvesting Plan has included the Brush-tailed Phascogale record 2.8 ha south of the compartment and has reserved all available habitat in the compartment within 3 km of the record (less than the required 50 ha).

13. Confusing prescriptions: the Harvesting Plan has amended the incorrectly worded prescriptions so that they are now consistent with the Conservation Protocols and standard section 120 licence conditions.

## RECOMMENDATIONS

1. That the Harvesting Plan be approved with the following amendments:

- The tree marking code and harvest regulation require amendment to state that all habitat and recruitment trees must be marked in the field.
- ~~The stringybark identified with whitewash under the hollow should be regarded as a Masked Owl nest tree and a 50 metre exclusion area be placed around the tree.~~
- The Yellow-bellied Glider record immediately adjacent to the compartment is included in the Harvesting Plan and the Yellow-bellied Glider prescription is applied to the compartment.
- All threatened species that trigger prescriptions, areas of rocky outcrops and threatened fauna features are clearly marked on a map in the Harvesting Plan.
- All non-relevant threatened species prescriptions are deleted from the Harvesting Plan.
- The alteration to the rainforest prescription concerning the use of existing tracks and snig tracks that cross the rainforest boundary be deleted as it is not applicable in the compartment.

2. That the relevant section 120 licence is varied to require that:

- The Australian Group Selection practice and gaps and cluster silvicultural techniques must not be used in this compartment;
- Ten primary Koala browse trees (or secondary browse species if primary are unavailable) will be retained per hectare in the compartment. These may include habitat trees if they meet the browse requirements.
- The Yellow-bellied Glider prescription is included in the Harvesting Plan.
- That the tree marking and harvest regulation states that the Koala browse habitat and recruitment trees must be marked for retention.



- The old growth prescription is amended to include the requirement that:
  1. The boundary of the old growth forest must be clearly marked in the field by the SFO (where boundary is adjacent to areas of net logging area that will be harvested).
  2. Specified forest activities must not be conducted in areas of identified old growth.
  3. Trees must not be felled into areas of identified old growth forest, ie trees must not be felled across the boundary of old growth forest.
  4. If a tree accidentally falls across the boundary, all trees within the old growth boundary affected by the fallen tree will be treated as habitat trees. Removal of debris from around such trees must be done by hand.
- The Masked Owl prescription is amended to include the requirement that the boundary of the retained Masked Owl habitat be marked in the field by the SFO and that trees must not be felled into areas retained as Masked Owl habitat.

△ This should also be included here.

Gary Davery  
24.03.98

Jacqui Parry

Jacqui, if the HP is adopted (with the amendment shown above) and the release of Cpt 2B6 approved by the HAB; it will be necessary to issue a specific licence variation to incorporate the prescriptions etc. This variation will be required before harvesting commences.

Cheers  
AD



# NORTH EAST STATE FORESTS HARVESTING ADVISORY BOARD

## CONSIDERATION OF MATTERS OUT OF SESSION

### RESOLUTION:

It is resolved that the North East State Forests Harvesting Advisory Board recommends to State Forests of NSW that the final Harvesting Plan for ICFA Compartment 286 Yabbra State Forest, Urbenville Management Area, be approved as presented on 20 March 1998 for implementation.

AGREED

*Gary Davey*  
.....

NOT AGREED

.....

DATED

*24 March 1998*  
.....

NAME (please print).....

*GARY Davey*  
.....

The above agreement is subject to the remaining outstanding matters included in the memorandum from Steed to Davey be resolved between SFNSW and NPWS. Harvesting (if release of the compartment is approved by the HAB) may not commence until a licence variation is issued for this particular operation.

*Gary Davey*



Facsimile Transmission



To Gary Dauley  
Attention J Date 24/3/98  
Your Fax Our Fax (02) 66 625826  
From Jacqui Farrer Phone (02) 66 624499  
No of Pages (including this cover page)

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State Forests of  
New South Wales  
Native Forests Division  
Northern Rivers Region  
Cnr Walker & Canterbury  
Sts,  
PO Box 688,  
CASINO N.S.W. 2470  
Phone (02) 66 624499  
Fax (02) 66 625826

Gary,

can you please look  
at this submitted by  
conservation reps of HATS

In particular can you  
advise if there needs to  
be any further consideration  
of:

- Masked owl habitat  
protection

- *Tytophora woodsi*  
protection

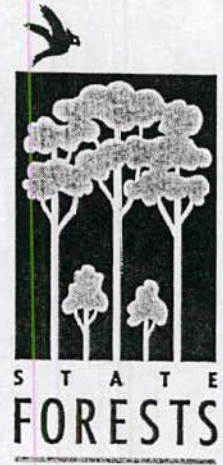
I will nip you to discuss  
again tomorrow morning  
Thanks to you & your staff for  
their efforts regards  
J



# NORTHERN RIVERS REGION

## FACSIMILE TRANSMISSION

To	Gary Davey, Manager, Threatened Species , Northern Zone Team NP&WS	Date	25.3.98
Attention	Gary Davey,	Your Fax	(02) 66 516187
From	Jacqui Parry, Regional Manager, Northern Rivers Region, SFNSW	Our Fax	
No of Pages	(including this cover page)		



State Forests of  
New South Wales

Building 2  
423 Pennant Hills Road  
Pennant Hills NSW 2120  
Phone (02) 9980 4100

### URGENT - PLEASE DELIVER BY HAND

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Dear Gary,

This is to confirm our discussion of your final comments and recommendations for amendment of Harvesting Plan for Cpt 286 Yabbra SF. As I understand it now, your recommendations are as detailed overpage.

Please note that some recommendations have been accepted under protest. There will be some issues we need to review soon. At this point in time neither of us has the time and resources to resolve them, but we would like to have a general review of the implementation of Conservation Protocols and prescriptions my staff consider are in excess of those protocols. Please advise by return fax if there are any problems with this.

Regards,

Jacqui Parry

Regional Manager

Northern Rivers Region



**1. That the Harvesting Plan be approved with the following amendments :**

- The tree marking code and harvest regulation require amendment to state that all habitat and recruitment trees, within the nett loggable area, must be marked in the field
- The stringybark identified with whitewash under the hollow should be regarded as a Masked Owl nest tree and, if it is not already enclosed within the mapped exclusion area, a 50 metre exclusion area be placed around the tree
- The Yellow bellied Glider record immediately adjacent to the compartment is included in the Harvesting Plan and Yellow-bellied Glider prescription applied to the compartment
- All threatened species that trigger prescriptions, including areas of rocky outcrop and threatened fauna features, where they occur in or will affect the nett loggable area, will be clearly marked on a map in the Harvesting Plan, located in the field and protected according to the relevant prescriptions. (We note your advice that this recommendation related to the triggering of a prescription which restricts burning to protect threatened bats)
- To avoid further confusion all other threatened species prescriptions that are in the Harvesting Plan shall remain in the plan.
- The alteration to the rainforest prescription concerning the use of existing tracks and snig tracks that cross the rainforest boundary be deleted as it is not applicable in the compartment..

**2. That the relevant section 120 licence is varied to require that :**

- The Australian Group Selection practice and gaps and cluster silvicultural techniques must not be used in this compartment.
- Ten primary Koala browse trees (or secondary browse species if primary are unavailable) will be retained per hectare in the compartment. These may include habitat trees if they meet the browse requirements
- The Yellow Bellied Glider prescription is included in the Harvesting Plan
- That the tree marking and harvest regulation states that the Koala browse habitat and recruitment trees must be marked for retention, within the nett loggable area.
- The old growth prescription is amended to include the requirement that :
  1. The boundary of the old growth forest must be clearly marked in the field by the SFO (where boundary is adjacent to areas of net logging area that will be harvested.



2. Specified forest activities must not be conducted in areas of identified old growth.
  3. Trees must not be felled into areas of identified old growth forest, ie trees must not be felled across the boundary of old growth forest
  4. If a tree accidentally falls across the boundary, all trees within the old growth boundary affected by the fallen tree will be treested as habitat trees. Removal of debris from around such trees must be done by hand.
- The Masked Owl prescription is amended to include the requirement that the boundary of the retained Masked Owl habitat be marked in the field by the SFO and that trees must not be felled into areas retained as Masked Owl Habitat. If a tree accidentally falls across the boundary, all trees within the old growth boundary affected by the fallen tree will be treested as habitat trees. Removal of debris from around such trees must be done by hand.

**Please note that in relation to the licence amendment and recommendation that the proposed practice of Australian Group Selection as a silvicultural technique be removed from the Harvesting Plan, State Forests accepts this recommendation under protest. We do not consider the recommendation is justified on ecological grounds, and we consider that recommendations on silvicultural practice are outside the area of expertise of the National Parks and Wildlife Service.**

ENDS



FACSIMILE MESSAGE



To: Jacqui Parry Fax No.: \_\_\_\_\_  
 From: Gary Davey  
 Date: 25.03.98 Time: 1430hs No. of pages following: \_\_\_\_\_  
 Subject: Yabba 286

NORTHERN ZONE  
 GIO House  
 24 Moonee Street  
 Coffs Harbour 2450  
 Tel: (066) 515 946  
 Fax: (066) 516 187

Comments:

Jacqui - the position outlined in your fax of 25 March 1998 accurately reflects the agreement reached between us in relation to the release of Yabba 286 for harvesting. One amendment - P3; Point 4 "treested" should read "treated".

Your protest is noted and I agree that silviculture is not NPWS's core business. However, threatened species management is and the impact of silvicultural practices does relate to our core business. Nonetheless, if STAFFS can supply ecological research that supports your view that AGS does not affect threatened species in the short/long term, then I would be pleased to discuss this further.

Again, please note that NPWS's comments in relation to AGS were made on threatened species grounds, not silvicultural grounds.

Cheers

If any pages are missing or illegible please telephone the sender on (066) 515 946

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NSW  
 NATIONAL  
 PARKS AND  
 WILDLIFE  
 SERVICE

COPY



**FACSIMILE TRANSMISSION**

To	Gary Davey, Manager, Threatened Species, Northern Zone Team NP&WS	File No	413B
Attention	Gary Davey	Date	31/03/98
Your Fax		Our Fax	(02) 66 62 5826
From	Jacqui Parry, Regional Manager, Northern Rivers Region	Phone	(02) 66 62 4499
No of Pages	1 (including this cover page)		

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Dear Gary,

We received the attached fax from NEFA late yesterday. It raises concerns about the adequacy of pre-logging fauna survey for cpts 196, 199, and 286 Yabbra SF. I am advised by the Regional Ecologist and the Divisional Ecologist that in relation to cpt 286 :

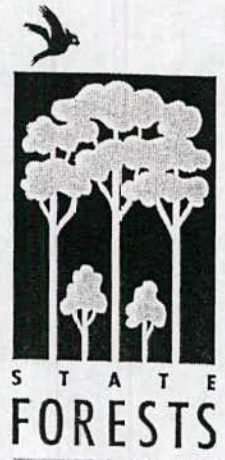
**1. Marbled Frogmouth – survey is not required because :**

- There are no records of occurrence within 2 km
- There is no potential habitat within the nett loggable area. The only rainforest in the cpt occurs well outside the nett loggable area
- If survey was required it involves playback done twice on separate nights. One night of playback survey was performed in association with owl survey

**2. Frogs – survey is not required because :**

- There are no records within 2 km
- There is no potential habitat
- Ecologists searched for microhabitat but determined none was present

Jim Shields has advised he believes the operation will have no adverse impact on these fauna. Can you please consider the issues advised by NEFA and advise your views by return fax.



State Forests of  
New South Wales  
Northern Rivers Region  
P O Box 688  
CASINO NSW 2470  
Phone (02) 66624499  
Fax (02) 66625826

**FAXED**  
31/3/98



# NEFA

**North East Forest Alliance**  
C/- Big Scrub Environment Centre, 123 Keen St Lismore 2480  
Phone/Fax (02) 6622 4737

30 March 1998

Jaqui Parry,  
Manager,  
Northern Rivers Region,  
State Forests of NSW,  
Casino. Fax 6662 5826.

1 Page

**RE: CPTS 169, 199 and 286**

Dear Jaqui,

After reviewing the harvesting plan and pre-logging fauna survey reports for compartments 196 and 199 Yabbya State Forest we consider that the requirements of the pre-logging fauna surveys and reporting requirements have not been met.

We cannot make comments on a harvesting plan until all requirements have been met properly and reported in the plan.

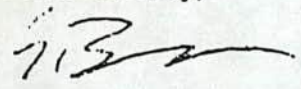
The following problems were identified:

- The minimum length of koala traverses required for the compartments has not been met nor has justification been given for the traverse routes taken as required by the Koala Prescription. A star transect has not been conducted centred on the site that R. Heyward found 28 koala scats on 16/7/97. The site has not been mapped and no AMGs given.
- The koala transect is not marked clearly on the map and the AMGs given for the transects are wrong.
- The sooty owl recorded by R. Heyward in Cpt. 196 is not mentioned in the harvest plan and neither of the sooty owl records are shown on the plan map as required.
- Marbled frogmouth playback has not been done twice on separate nights at each playback site as required by the survey design condition 2.4.2.
- Frog surveys were not done twice on two separate nights as required by the survey design condition 2.4.5. The recording sheets for frogs do not list the species targeted for call back. The survey sites for frogs are not marked clearly on a map. The time spent on the surveys is not adequate.
- Yellow-bellied Glider records are not marked on the plan map.
- In general the survey reports are difficult to read, the maps unclear and many of the AMGs are wrong (or the surveys were conducted in the wrong compartment).

This list is not comprehensive and there may be other problems that will need to be identified and sorted out.

The survey requirements for compartment 286 have also not been fulfilled. Further surveys for the marbled frogmouth and for frogs are required.

Yours sincerely,



Georgia Beycer

COPY



# NORTH EAST STATE FORESTS HARVESTING ADVISORY BOARD

## CONSIDERATION OF MATTERS OUT OF SESSION

### RESOLUTION:

It is resolved that the North East State Forests Harvesting Advisory Board recommends to State Forests of NSW that the final Harvesting Plan for IDFA Compartment 286 Yabbra State Forest, Urbenville Management Area, be approved as presented on 20 March 1998 for implementation.

*subject to covering letter*

AGREED

*D.M. Gallagher*

NOT AGREED

DATED

*23/3/98*

NAME (please print)

*Jill Gallagher (EPA)*



2

State Forests of NSW  
Northern Rivers Region  
PO Box 688  
CASINO NSW 2470



Environment  
Protection  
Authority  
New South Wales

PO Box 1135 Chatswood NSW 2057  
Tel .02. 9795 5000 Fax .02. 9325 5678

Our Reference: BA3886/2

Your Reference:

Dear Mr Macgregor-Skinner

I refer to the request for out-of-session approval of the harvesting plan for Compartment 286, Yabbra State Forest by the North East State Forests Harvesting Advisory Board.

The EPA has reviewed the harvesting plan and is satisfied that all of the matters relevant to the pollution control licence and the comments submitted on 20 March 1998 have been incorporated into the plan. Subject to the issues raised below being addressed, the EPA approves access to the compartment.

The EPA has some reservations about granting approval for State Forests to access an IDFA compartment given the compliance problems that were experienced in Compartment 68 Whian Whian State Forest approximately six months ago. It is my understanding that detailed information has not yet been provided to the NESFHAB about the procedures that State Forests has put in place to ensure that these compliance problems will not recur. It is important that these procedures be developed and implemented as a matter of urgency. The exact nature of them also needs to be communicated to the NESFHAB as soon as possible, and in any event before the operation in Compartment 286 commences. This is critical in reassuring the members of the NESFHAB that the compliance difficulties will not recur.



The EPA also considers that State Forests should report regularly to the NES-HAB on the type and results of field supervision that is carried out at Compartment 286, as well as the results of the internal auditing that will presumably be undertaken in addition to the everyday supervision.

Yours sincerely

*Jill Gallagher*

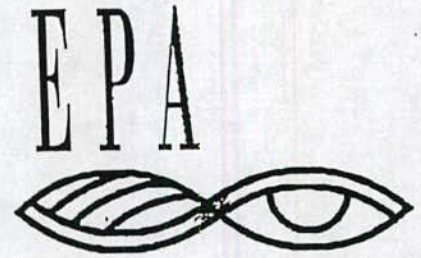
**JILL GALLAGHER**  
**Manager Forestry Unit**

24 / 3 / 98



CERTIFIED MAIL

FORESTRY COMMISSION OF NSW T/A STATE FORESTS OF NSW  
BUILDING 2, 423 PENNANT HILLS ROAD  
PENNANT HILLS NSW 2120



Environment  
Protection  
Authority  
New South Wales

PO Box 1135 Chatswood NSW 2057  
Tel .02. 9795 5000 Fax .02. 9325 5678

Our Reference: 600000/D00/Not. Nos. 005184

Your Reference:

23 March, 1998

NOTICE UNDER SECTION 17D(3)  
OF THE POLLUTION CONTROL ACT 1970

WHEREAS -

(A) FORESTRY COMMISSION OF NSW T/A STATE FORESTS OF NSW is the holder of licence number 004017 in respect of premises situated at LAND IN THE NORTHERN REGION, which expires on 7 August, 1998.

TAKE NOTICE THAT -

In accordance with the powers vested in the Environment Protection Authority (EPA) under Section 17D(3) of the Pollution Control Act 1970, the EPA with respect to licence number 004017 from the date of this Notice hereby:-

1. Varies this licence by inserting the following compartment description, corresponding water pollution hazard categories, special conditions, representative water quality monitoring site, and date of licence variation into Schedule 1:

"Compartment Description

Compartments 665-668  
Ewingar State Forest No. 845

Compartments 678 & 679  
Billilimbra State Forest No. 815



Water Pollution Hazard Categories

Water Pollution Hazard Category	Slope Ranges (degrees)
1	Less than or equal to 5.
2	Greater than 5 and less than or equal to 23.
3	Greater than 23 and less than or equal to 30.
4	Not applicable.

Proportion of dispersible soils: A horizon less than 10%  
 B horizon less than 10%

Special Conditions

Special conditions are those conditions contained in the harvesting plan for Compartments 665-668, Ewingar State Forest No. 845 and Compartments 678 & 679, Billilimbra State Forest No. 815, prepared by State Forests of NSW, received by the EPA on 5 March 1998, and as amended by addendum 1 received by the EPA on 16 March 1998.


Water Quality Monitoring Site

To be determined

Date of Licence variation

23 March 1998."

NEIL SHEPHERD  
Director-General

Per   
 Barbara Richardson  
 Manager Waters & Catchments  
 Policy  
 WATERS AND CATCHMENTS  
 (by Delegation)



# NEFA

North East Forest Alliance

C/- Big Scrub Environment Centre, 123 Keen St Lismore 2480

Phone/Fax (02) 6622 4737

3 pages

23 March 1998

Jaqui Parry,  
Manager,  
Northern Rivers Region,  
State Forests of NSW,  
Casino. Fax 6662 5826.

Dear Jaqui,

The conservation representatives on the North East State Forests Harvesting Advisory Board have reviewed the final harvesting plan for compartment 286, Yabba State Forest.

A justification given for not adequately protecting environmental values is the Government objective to maintain timber supply. The National Strategy for Ecologically Sustainable Development (ESD) (CoA 1992) utilised the Forest Use working group's recommendations and its core objectives to establish three objectives for forest use and management. One of the three objectives is "To maintain ecological processes within the forests, maintain biodiversity, and optimise benefits to the community from all uses, within ecological constraints." The ecological constraints necessary to achieve ESFM have not been applied in the case of compartment 286.

There are issues that have not been dealt with to our satisfaction. Many of our recommendations have not been incorporated into the plan and thus we are unable to approve the harvesting plan for compartment 286.

### Masked Owl

The exclusion area for the Masked Owl is not considered to be adequate. We believe that the Masked Owl exclusion area should be the size of the home range of the owl and include the roost/nest site. At the very least the 300 ha exclusion area required by the conservation protocols should be applied as a contiguous block centred around the area where the young were recorded. The area should be contiguous and be consistent with reserve design principles. It is not considered appropriate to reserve a small (8 ha) area for the owl with the rest of the reserve separate.

A justification given for not including the available modelled habitat is that recently logged areas are not suitable. We agree that the Masked Owl reserve should not include recently logged areas and believe reserving parts of cpt 287 is not suitable as it has been recently logged.

### Tylophora woollsii

The area reserved to protect the Tylophora woollsii is not adequate.

Tylophora woollsii is listed under both the TSC Act and ESPAct as Sch. 1 - Endangered. It is a woody climber growing to 3 metres tall in wet sclerophyll forest, particularly along rainforest margins. Until last year this species survived as one known population on a roadside at Billy's Creek, the other known population in Clouds Creek State Forest having

GENERAL		A	Int. Data
✓	RM	✓	2/3
✓	RPM		
	FORM		
	RAM		
	EA		
	Gen I		
	Urban		
	SOL		
	SIM		
	MSM		
	HPOM		
	Resub		

*Cons gives to Jaqui*

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NATIVE FORESTS DIVISION  
NORTHERN RIVERS REGION  
24 MAR 1998  
FILE No. 479E



been eliminated by roadworks. Surveys last year found two significant populations in Bald Rock National Park (totaling 185 plants), along with 8 plants left at Clouds Creek State Forest and some 3 other dubious records of populations of 1 or 2 plants, this was the entire known world population. Leigh et. al. (1984) identifies forestry as a threat.

The prelogging surveys in compartment 286 found a significant population of 200 plants. Our consideration of the adequacy of proposed measures for this species has been hampered by SFNSW's failure to provide the required locality and habitat data (as requested by the NPWS).

The transects for the flora survey show that all areas of potential habitat were not surveyed for the plant and for this reason we believe that areas of potential habitat should be reserved.

The population seems to occur exclusively in forest type 53 - Brushbox. Until such time as all potential habitat is thoroughly surveyed and the full extent of the population known and clearly mapped, we believe that forest type 53 should be reserved in its entirety.

We consider that comprehensive surveys for this species need to be undertaken in all potential habitat before logging operations are undertaken. We would then need to be provided with the results before we could assess the adequacy of conservation measures.

We also believe that a buffer of at least 100 metres is needed to protect the plant from logging activities. It is not unusual for a tree to be accidentally felled in the wrong direction and for trees to be felled onto other trees which then fall themselves. A 100 metre buffer would allow for such accidents without affecting the plants. The 100 metre buffer would also ensure that the conditions of the habitat would not be changed by canopy reduction and light infiltration.

We cannot approve the harvesting plan for cpt 286 unless the *Tylophora woollsii* is adequately protected.

#### **Retention of old trees**

The removal of large trees (>1m) will have significant impact on conservation values. The retention of these trees is considered necessary in a compartment of high conservation value which has been identified as likely to be required for national park. We understand that Ford Timbers can now utilise small logs ((30cm dbh) and the size classes between 30cm and 1m should be sufficient to supply timber.

#### **Snig Tracks in exclusion buffers**

It is not acceptable that snig tracks may be reopened in riparian buffers. This would severely compromise the conservation value of the buffers. It would also be a great excuse for machinery intrusions where they are not intended. Maintaining the integrity of wildlife exclusion areas is considered necessary in an IDFA compartment.

#### **Canopy Retention**

We consider that the retention of 50% of the canopy is necessary to protect the conservation values of the compartment. Any more opening up of the canopy could lead to changes in the vegetation communities and effect the species present in the compartment dependant on those communities. It would also leave the area more susceptible to bellbird dieback. The dominant forest type is grey gum which is highly susceptible to dieback and the low altitude of the area increases the susceptibility.

#### **Marbled Frogmouth**



We have not yet seen the results of the Marbled Frogmouth surveys carried out over the weekend. Until we have seen the results and the subsequent management plan we are unable to approve the harvesting plan

### Compliance

The issue of non-compliance is very serious. There has been no demonstrated improvements in the planning and auditing processes to avoid breaches of harvesting conditions. Our recommendations for compliance checks have not been met and we cannot have any faith that the operation will be carried out according to the plan. We have raised this issue time and time again, State Forests have had the opportunity to address the issue but there has been no movement at all.

We have recommended that a compliance check be carried out at least weekly by the SFO and at least every two weeks by a planning forester. Any problems of compliance found by the checks should be reported to HAB members. If any members of the HAB report a breach of conditions, State Forests will be notified and a joint field inspection be carried out as soon as possible.

IDFA compartments have been assessed to have high conservation value and are likely to be required for a reserve system. We accept that there may be need to access IDFAs for logging but do not believe that it has been established that in this instance that all practicable alternatives have been exhausted.

If IDFA compartments are proven to be needed to maintain timber supplies then we consider that these areas should be managed for their conservation values in logging operations. The conservation protocols must only be a base line and the plan must go beyond the protocols to protect conservation values in potential national park areas.

The focus so far has been on getting the plan up to scratch on the letter of legal requirements and any protection beyond that has been ignored. There is no genuine attempt to comply with the intent of the existing conservation protocols (as distinct from the letter of the protocols), let alone adopt the additional measures necessary to protect the most significant values.

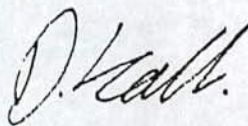
State Forests must accept that IDFAs are special and in need of special management consistent with the principles of Ecologically Sustainable Forest Management and their potential national parks requirements. We hope that future harvesting plans for IDFA compartments will reflect the need to manage IDFAs in a much more careful way.

We are unable to approve the harvesting plan for compartment 286 while our recommendations have not been satisfactorily resolved. We are also unable to approve any IDFA compartment for logging until the issues raised in Dailan Pugh's letter of 17 March tabled at the HAB meeting of 17/3/98 are responded to and resolved.

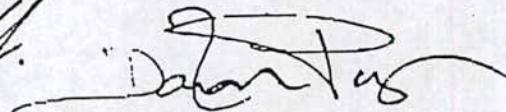
Yours sincerely,



Georgia Beyer,



Daniel Hall,



Dailan Pugh,

Conservation Representatives on the NESF Harvesting Advisory Board.



# NORTH EAST STATE FORESTS HARVESTING ADVISORY BOARD

## CONSIDERATION OF MATTERS OUT OF SESSION

### RESOLUTION:

It is resolved that the North East State Forests Harvesting Advisory Board recommends to State Forests of NSW that the final Harvesting Plan for IDFA Compartment 286 Yabbra State Forest, Urbenville Management Area, be approved as presented on 20 March 1998 for implementation.

AGREED ..... AGREED. .....

NOT AGREED .....

DATED ..... 23/3/98 .....

NAME (please print)..... Russ. AINLEY .....



 FPA

To: John Macgregor-Skinner  
Executive Officer  
NESFHAB  
From: Russ Ainley

23 March, 1998

Re: **CONSIDERATION OF MATTERS OUT OF SESSION  
HARVESTING PLAN CPT 286 YABBRA STATE FOREST**

Attached is my agreement to the resolution on this matter.

However this agreement is qualified with my disapproval of the excessive restrictions, beyond the Conservation Protocols that were agreed by the National Parks and Wildlife Service and State Forests in November 1996. Those protocols were imbedded in the Government's Forestry Decision to be applied both within and outside the IDFA.

Excessive restrictions on log supply will inevitably result in increased need to access IDFA areas.

In particular we oppose

- ⇒ Extension of Masked Owl Exclusion Zone without roost/nest site
- ⇒ Inclusion of species specific prescriptions for species not recorded
- ⇒ Inclusion of species not recorded in the prescriptions for CWRV
- ⇒ Inclusion of prescriptions for all bats when only 3 have been recorded
- ⇒ Exclusion of Candidate Old Growth areas without stump counts
- ⇒ Restriction of felling into areas of candidate old growth and requirement for hand removal of debris.
- ⇒ Extension of buffer requirements for *Tylophora woolsii*
- ⇒ Restriction of AGS silviculture without adequate qualification as to the reason being Koala habitat.
- ⇒ "Rocky outcrops" in Conservation Protocols is supposed to refer to major occurrences of rhyolite only. Buffer is unnecessary around this outcrop.

It is industry's contention that the excessive restrictions have no legal basis and may not be implemented within the logging operation.

Any subsequent breach of an illegal restriction will be defended vigorously.



**NORTH EAST STATE FORESTS HARVESTING ADVISORY BOARD**

**CONSIDERATION OF MATTERS OUT OF SESSION**

**RESOLUTION:**

It is resolved that the North East State Forests Harvesting Advisory Board recommends to State Forests of NSW that the final Harvesting Plan for IDFA Compartment 286 Yabbra State Forest, Urbenville Management Area, be approved as presented on 20 March 1998 for implementation.

**AGREED**

*Conley*

**NOT AGREED**

\_\_\_\_\_

**DATED**

*23/3/98*

**NAME (please print)**

*IAN Conley*

*Please see Russell Kirby*

*comments as they remain ab*

*undents partic*

*Agred. I. Conley  
23/3/98*

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# NORTH EAST STATE FORESTS HARVESTING ADVISORY BOARD

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AGREED

*[Handwritten Signature]*

NOT AGREED

.....

DATED

23-3-98

NAME (please print).....

EWAN STEVENSON

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**NORTH EAST STATE FORESTS HARVESTING ADVISORY BOARD**

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**AGREED**     *A. Ellam*     (for A. Ellam-CFMEU)

**NOT AGREED** .....

**DATED**     23/3/98    

**NAME (please print)**     *Kelly Livingston for A. Ellam*    

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# NORTH EAST STATE FORESTS HARVESTING ADVISORY BOARD

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### RESOLUTION:

It is resolved that the North East State Forests Harvesting Advisory Board recommends to State Forests of NSW that the final Harvesting Plan for IDFA Ccompartment 286 Yabbra State Forest, Urbenville Management Area, be approved as presented on 20 March 1998 for implementation.

AGREED I APPROVE, ONLY IF THE N.P.W.S. DID THERE THING.

NOT AGREED .....

DATED 23-3-98 .....

NAME (please print)..... RON HERON .....

*We should never have to be put up to do this kind of out of session thing ~~by~~ voting.*

*Ron Heron*



## Attachment 4

### Report on improvements to Planning and Supervision of Harvesting

As a result of a process of organisational development in State Forests, the new Northern Rivers Region has been rebuilding its staffing structure and systems to improve management of forests in general, in particular focussing on improvements in planning and supervision. It has taken some time to recruit all positions, but most have been completed, with a few key positions filled in Planning Branch within the past few weeks.

A number of instances of non-compliance which occurred in IDFA compartment 68 Whian Whian SF prior to September 1997 were the subject of a field inspection and censure motion at the NE Harvesting Advisory Board meeting on 25 – 26<sup>th</sup> November 1997. At this point in time, we have yet to receive a copy of the NP&WS Audit report which outlines the extent of problems, so it is difficult to analyse in detail what the causes were. However, a number of improvements have been identified as necessary and action has been taken to progress them. It will take some considerable time and resources to complete them, but some progress has been made :

- **Improve the efficiency of the planning process.**
- **Simplify prescriptions and requirements**

Planning Manager Bob Williams has prepared and discussed with the NP&WS a simplified Harvesting Plan format, which puts all of the standard prescriptions into one document which SFO's can carry around in the bush. We have supplied a copy of the proposed new format to the NP&WS, and met with the NP&WS Northern Zone Team staff (Gary Davey) to discuss the new plan format. The response was positive, and Gary indicated he would be discussing it further with the Zone Team Manager, Alan Feely, however, he has not been able to progress it further at this stage.

Meanwhile, Bob Williams has put the proposed new format to a SFNSW team which is working on this on a state wide basis. They are considering the format.

- **Improvements in quality checks of plans to ensure they comply with current requirements, can be easily read and understood, and don't contain conflicting requirements**

Bob Williams and his staff are currently reading and quality checking all Harvesting Plans currently in operation and new plans before they are approved or issued. This check has revealed a number of defects in plans approved and commenced early last year (including some compartments not in compliance with Conservation Protocols - Sleeper / Salvage operations in Glen Innes MA). These defects have been reported to the NP&WS and were remedied. Quality checking will be made easier with a simplified format. Native Forests Division is also working on a system to improve quality checking throughout the planning process.



- **Involvement of field staff in the planning process**
- **Involvement of stakeholders in the planning process**
- **Increase the level of field checking of planning to ensure potential problems are identified before operations commence**

These improvements are being built into the planning process. It has been difficult to achieve until now, because we have had so many vacancies in our Planning Branch. A flow chart of the planning process has been prepared which includes involvement of field staff and stakeholders. Planning staff have been asked to review and comment on the flow chart.

The implementation program developed for IDFA compartment 286 demonstrates an increased level of field checking and an increased level of involvement of senior and experienced staff in field operations.

- **Clarification of responsibilities for supervision of operations in the field**

Bob Williams held a workshop for SFO's and other Planning Branch staff involved in harvesting supervision and planning, to clarify responsibilities in supervision. He has ensured that there is one SFO clearly responsible for implementation and supervision of each operation. There will also be one FA responsible for overall supervision of SFO's to ensure consistency across the Region in interpretation of harvesting plan prescriptions and the Code of Logging Practice. A Forest Planner independent of the FA will be given the task of undertaking Tier 2 audits for the Region, again ensuring there is consistency across the Region.

- **Benchmarking compliance, and the standard of supervision and monitoring in the field, so that we can demonstrate improvements in performance to the community**
- **Involvement of stakeholders in development of the benchmarking**
- **Cultural change to ensure field staff and contractors embrace their responsibilities for environmental management.**
- **Create a more constructive environment in which staff and contractors will be motivated to improve performance.**

A meeting was set up on 13 December, involving interested members of the Harvesting Advisory Board, Dailan Pugh, Dan Hall and Georgia Beyer, however the meeting was cancelled at their request and will be held early in the new year. This needs the involvement of stakeholders to succeed. I mentioned this again at the February and March meetings of the Harvesting Advisory Board. Since then all of our resources have been devoted to dealing with planning problems, but it should receive more priority later in April.

ENDS



*Cynanchum elegans*

**Conservation status:** Risk code 2ECi (Briggs and Leigh, in prep.), TSCAct, Sch. 1 Endangered, ESPAct Sch. 1 - Endangered

**Habit:** a climber or twiner, 1-2m long

**Habitat:** rainforest gullies scrub and scree slopes (Harden 1992), steep basalt scree under Wilga and wattles (Leigh et. al. 1984), in and on the margin of dry rainforest (DoP 1994), dry rainforests, subtropical rainforest on clays or clay loams, at Mt. Dangar in scrub or woodland on a steep basalt scree slope, near sea level to c. 600m (Quinn et. al. 1995)

**Distribution:** south from Glouster district to Wollongong, inland to Mt. Dangar (Harden 1992), expected Wingham MA (DoP 1994), confined to NSW in a few scattered sites along the central coast and lower north coast areas, extending inland to c. 60 km in the Hunter Valley area (Quinn et. al. 1995)

**NSW Localities:** NSW - 56,57 (Briggs and Leigh, in prep.), Woko NP, Goulburn River NP, Camels Hump NR, expected Coneac SF, Bowman SF, Giro SF (Binns 1993a), south-east of Cobbity Trig near Cabramatta (18??), Mt. Dangar (1966) (Leigh et. al. 1984), Manning River, Bretti, Tibbuc, Cape Hawke, Cabramatta, Berkeley, Gungah, Shellharbour NR, Albion Park, Charcoal Ck. near Wollongong (Quinn et. al. 1995)

**SF Districts:** Morissett, Gloucester, Wingham?

**Pollination:** flowering variable and opportunistic (Quinn et. al. 1995)

**Seed dispersal:**

**Threats:** fire frequency, clearing, grazing, weeds, recreation (Quinn et. al. 1995).

*Tylophora woollsii*

**Conservation status:** 2E (Briggs and Leigh, in prep.), TSCAct, Sch. 1 Endangered, ESPAct Sch. 1 - Endangered

**Habit:** woody climber to 3m tall

**Habitat:** wet sclerophyll forest and rainforest (Harden 1993), wet sclerophyll/warm temperate rainforest margin (Moore and Floyd 1994), brown clay over metasediments in wet sclerophyll forest, 10-750m (Quinn et. al. 1995)

**Distribution:** NSW - 56,57 (Briggs and Leigh, in prep.) Clouds Creek area near Nymboida and in sclerophyll forest near Parramatta (Harden 1993), it appears the Parramatta population is now extinct, the Cloud's Creek population appears to have been destroyed by road works, only one known population on the roadside at Billy's Creek (Moore and Floyd 1994), record for Ellis SF (State Forests 1994)

**NSW Localities:** Billys Creek (Moore and Floyd 1994), Ellis SF (State Forests 1994), Sheas Knob SF, Clouds Creek SF (Quinn et. al. 1995)

**SF Districts:** Dorrigo, Grafton

**Pollination:** flowers January to February and April (Quinn et. al. 1995)

**Seed dispersal:**

**Threats:** roading, clearing, logging, fire frequency: forestry operations, clearing, roadworks (Leigh et. al. 1984), "*Forestry, clearing for agriculture and roadworks are considered current threats to the populations near Dorrigo. Plants have been destroyed ... by roadworks. A recent fire ... at the Clouds Creek location has razed this site*" (Quinn et. al. 1995)



## NOTES ON SIGNIFICANCE OF THREATENED PLANTS FOUND IN COMPARTMENTS 286 AND 199 YABBRA STATE FOREST.

Dailan Pugh

, and a "single small stand occupying less than 50 m<sup>2</sup>" of *Cynanchum elegans* in compartment 199 of Yabbara State Forests. Both these finds are highly significant, both are within IDFA compartments and both are proposed for logging in the immediate future.

Pre-logging flora surveys recently located a "substantial population (about 200 mature plants plus many juvenile plants) of what is probably" *Tylophora woollsii* in compartment 286. *Tylophora woollsii* is listed under both the TSCAct and ESPAct as Sch. 1 - Endangered. It is a woody climber growing to 3m tall in wet sclerophyll forest, particularly along rainforest margins. Until last year this species survived as one known population on a roadside at Billy's Creek, the other known population in Cloud's Creek State Forest having apparently been eliminated by roadworks. Surveys last year found two significant populations in Bald Rock NP (totalling 185 plants), along with the 8 plants left at Clouds Creek SF and some 3 other dubious records of populations of 1 or 2 plants, this was the entire known world population. Leigh et. al. (1984) identifies forestry as threat.

*Cynanchum elegans*

**Conservation status:** Risk code 2ECi (Briggs and Leigh, in prep.), TSCAct, Sch. 1 Endangered, ESPAct Sch. 1 - Endangered

**Habit:** a climber or twiner, 1-2m long

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**Distribution:** south from Gloucester district to Wollongong, inland to Mt. Dangar (Harden 1992), expected Wingham MA (DoP 1994), confined to NSW in a few scattered sites along the central coast and lower north coast areas, extending inland to c. 60 km in the Hunter Valley area (Quinn et. al. 1995)

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**Pollination:** flowering variable and opportunistic (Quinn et. al. 1995)

**Seed dispersal:**

**Threats:** fire frequency, clearing, grazing, weeds, recreation (Quinn et. al. 1995).



We ask that you intervene to attempt to resolve this <sup>official</sup> dispute. Given the urgency and gravity of the issues under dispute we ask that you take urgent action to resolve them, should you so desire. Remember that all our efforts have so far been in vain and that this is our final attempt to resolve them through dialogue.

### Shiny Urn Heath (*Melichrus* sp.)

to have the NPWS review its <sup>current</sup> policy position on the protection of Threatened Species in State Forests

Late last year two new species of plants were discovered in pre-logging surveys in Gibberagee SF. One of these is a *Melichrus* species and has been ascribed the common name of Shiny Urn Heath.

Based upon the pre-logging surveys State Forests identified an interim exclusion zone around the only known population of Shiny Urn Heath in compartment 118 of Gibberagee SF, which they included in a draft harvesting plan referred to the Regulatory and Public Information Committee (RaPIC). On the 1 October 1997 RaPIC determined that for compartment 118 "No new roads/dumps be constructed or reopened within interim exclusion zones for new plant species".

A field inspection on the 17 December 1997 by State Forests, NPWS, botanists and NEFA reconfirmed the necessity of protecting the "interim exclusion zone", though more individuals were found outside the exclusion area and the need for more surveys identified. A further field inspection did locate more individuals. NPWS reached agreement with State Forests to treat the species as threatened and NPWS were in the process of developing an "agreed" management plan with State Forests for the species, which was considering alternatives to using and upgrading the existing track, when State Forests struck.

Even though an agreed management plan, or even a harvesting plan, were still not prepared for the Shiny Urn Heath, a bulldozer was used to re-open and widen a track through the middle of the population and the middle of the agreed "interim exclusion area" in late January. It is estimated by Doug Binns of State Forests that 23 plants were eliminated by grading and a further 7 plants physically damaged. A site inspection by Daniel Hall of NEFA identified a total of 194 individuals which had disturbance (grading or a tree pushed over) within 10 metres of them, with 1 plant visibly dead and 15 visibly disturbed or damaged.

The NPWS (3 March 1998) note "NPWS acknowledges that Mangrove Creek Road was re-opened contrary to RaPIC approval and that individuals in a known population of a previously undescribed plant species of *Melichrus* were damaged."

State Forests blamed the contractor for not following instructions and suspended him. The contractor in turn claimed he was following State Forests' instructions and, with the backing of the Forest Products Association, commenced legal proceedings to be reinstated. State Forests gave in without a fight, ~~indicating~~ <sup>implying</sup> that they were in the wrong.

Following this incident we were informed by the NPWS that they had not attempted to have the species listed as endangered in accordance with Division 4 "Procedure for provisional listing of endangered species on emergency basis" of Part 2 of the Threatened Species Conservation Act 1995. They reasoned that there was no need for listing because they were working co-operatively with State Forests.