



Assessment Report

Unique or Special Wildlife Values – Part 4 of the Plantations and Reafforestation Act 1999.

Section 32 of the *Plantations and Reafforestation Act 1999* (the Act) sets out the meaning of unique and special wildlife values.

For the purposes of this Act, land has ***unique or special wildlife values*** if:

- (a) any unique or special wildlife grows on or inhabits the land, or
- (b) any such wildlife is likely to grow on or inhabit the land.

Unique or special wildlife is:

- (a) any endangered species, endangered ecological community or species presumed extinct (within the meaning of the *Threatened Species Conservation Act 1995*), being a species of (or ecological community that includes) a vascular plant, amphibian, bird, mammal or reptile, or
- (b) any endangered species, endangered ecological community or species presumed extinct (within the meaning of Part 7A of the *Fisheries Management Act 1994*), being a species of (or ecological community that includes) fish.

Unique or special wildlife does not include any tree or shrub that is planted on an authorised plantation in the course of establishment or other operations on the plantation.

Note: The *Threatened Species Conservation Act 1995* has been replaced by the *Biodiversity and Conservation Act 2016*.

It is a requirement that the plantation owner or manager notify the Minister (or delegate) as soon as they become aware that plantation operations have or are likely to have impact on unique or special wildlife values on the affected land. Under section 34 of the Act the Minister (delegate) is required as soon as notified, to make arrangements for:

- An evaluation of any impacts or likely impacts of plantation operations on the unique or special wildlife and
- A report to be provided addressing matters in section 34(2) of the Act.

The Minister administering the National Parks and Wildlife Act 1974 is to be notified of such arrangements.

This document provides information that addresses the matters set out in Section 34(2) of the Act and an evaluation of any impacts or likely impacts of plantation operations on the unique or special wildlife the Minister (delegate) has been notified of. The report refers to:

CH0723P Pine Creek State Forest - Compartment 14

Unique or Special Wildlife Values:

Scientific Name	Common Name
<i>Ephippiorhynchus asiaticus</i>	Black-necked Stork
<i>Phyllodes imperialis</i>	Southern Pink Underwing Moth
<i>Marsdenia</i>	Slender Marsdenia
<i>Rhodamnia rubescen</i>	Scrub Turpentine
<i>Rhodomyrtus psidioides</i>	Native Guava
<i>Phascolarctos cinereus</i>	Koala
<i>Cynanchum elegans</i>	White-flowered Wax Plant

Endangered Ecological Community (EEC) 'Subtropical Coastal Floodplain Forest'

Date notified:

Plantation owner: Forestry Corporation NSW

Or

Date NSW DPI Forestry made aware: 02/06/2023

The existence and extent of unique or special wildlife values

FCNSW has undertaken an assessment of USWV involving searches of relevant databases, field inspection and identification of any available habitat for compartment 14 in Pine Creek State Forest. The following are the findings of that assessment.

Koala *Phascolarctos cinereus*

Koalas have an extensive range in NSW and can be found in most eucalypt woodland and forest environments. Koalas are locally abundant in many parts of the north coast.

Koalas are highly mobile with home range sizes varying with quality of habitat. Home ranges can range from a few hectares to several hundred hectares in size depending on factors around the individual koala, such as sex and age as well as the habitat. Koalas are known to be abundant in the adjacent Bongil Bongil National Park.

No individuals were detected on site during inspections.

Black-necked Stork - *Ephippiorhynchus asiaticus*

In NSW, the species becomes increasingly uncommon south of the Clarence Valley. Habitat includes Floodplain wetlands (swamps, billabongs, watercourses and dams) of the major coastal rivers are the key habitat in NSW for the Black-necked Stork. Secondary habitat includes minor floodplains, coastal sandplain wetlands and estuaries.

No individuals were detected on site during inspections.

Scrub Turpentine *Rhodamnia rubescens*

Rhodamnia rubescens occurs in coastal districts north from Batemans Bay in New South Wales to areas inland of Bundaberg in Queensland. Typically occurs in coastal regions in littoral, warm temperate and subtropical rainforest, and wet sclerophyll forest usually on volcanic and sedimentary soils.

No individuals were detected on site during inspections.

Native Guava *Rhodomyrtus psidioides*

Occurs from Broken Bay, approximately 90 km north of Sydney, New South Wales, to Maryborough in Queensland. Populations are typically restricted to coastal and sub-coastal areas of low elevation

No individuals were detected on site during inspections.

Slender Marsdenia *Marsdenia longiloba*

Species usually occurs in lowland wet sclerophyll forest (in ecotone adjacent to rainforest) with rainforest species understorey. This species has a wide geographical range through the north coast and northern tablelands of NSW (Barrington Tops) to south-east QLD however, is rare within its range.

No individuals were detected on site during inspections.

White-flowered wax plant *Cynanchum elegans*

Cynanchum elegans is a climber which occurs in eastern NSW from Gerroa in the Illawarra to Brunswick heads on north coast. Populations typically occur on the edge of dry rainforest however it is also associated with littoral rainforest, coastal tea tree and a variety of open forest and woodland.

No individuals were detected on site during inspections

Subtropical Coastal Floodplain Forest Endangered Ecological Community (EEC)

This community occupies central or marginal parts of floodplains and sandy flats where flooding is periodic. Associated with clay-loams and sandy-loams on periodically inundated alluvial flats

No instances of the EEC were detected on site during inspections.

The extent to which plantation operations are likely to have an adverse impact on unique or special wildlife values

The above listed USWV have records within 5 km of the harvest area however none have been confirmed on site. Should the listed USWV or any other any endangered species, endangered ecological community or species presumed extinct be located on site then it is a requirement that the plantation owner or manager notify the Minister (or delegate) as soon as they become aware that plantation operations have or are likely to have impact on unique or special wildlife values on the affected land.

In relation to the listed species presumed likely to grow on or inhabit the land the following measures must be implemented to mitigate the likely impact of plantation operations on USWV.

Koala - *Phascolarctos cinereus*

The harvest crew must look for koalas, and evidence of koalas (scats) throughout the operation and make a record of this search via plan notes or FCNSW MapApp. If a koala is located within the authorised plantation during harvesting the following sequence of notification is to occur immediately:

Crew - Harvest Coordinator - Harvesting Supervisor - DPI Plantation Regulation Unit

The following action must be taken immediately:

The inhabited tree must be marked by the Harvest Coordinator or Crew, a 50m buffer (or greatest extent available) must be established around the inhabited tree and a temporary corridor of unharvested vegetation retained (collectively referred to as the temporary protection zone (TPZ)) to link the inhabited tree to the nearest retained native vegetation.

Harvesting operations may then proceed around the TPZ whilst awaiting advice from DPI. When the koala has moved from within the TPZ, all available trees within this area may be harvested.

Black-necked Stork - *Ephippiorhynchus asiaticus*, Southern Pink Underwing Moth - *Phyllodes imperialis* (southern subspecies), Scrub Turpentine - *Rhodamnia rubescens*, Native Guava - *Rhodomyrtus psidioides*, Slender Marsdenia - *Marsdenia longiloba* and White-flowered Wax Plant - *Cynanchum elegans*.

The Harvesting Contractor and Crew must review descriptions and diagrams of these species prior to commencing operations. If identified during operations the Senior Field Ecologist must be notified, and operations ceased in the vicinity until appropriate conditions are determined under which operations can proceed.

Endangered Ecological Community (EEC) Subtropical Coastal Floodplain Forest

Endangered Ecological Community (EEC) 'Subtropical Coastal Floodplain Forest' is potentially present within these compartments. Areas containing this modelling within the plantation footprint (see HPOM) have been assessed by an ecologist. No EEC has been observed. FCNSW EEC Identification Guide to be used to identify if vegetation constitutes this EEC. Other forest areas meeting this definition must be excluded from harvesting

Whether plantation operations in all or part of the authorised plantation must be prevented, suspended for a period or modified so as to minimise the adverse impact on unique or special wildlife values

For the identified USWVs that are likely to grow on or inhabit the land to which the authorised plantation applies there are modified harvesting measures that must be implemented to minimise any adverse impact.

Until such time that USWV are identified onsite, and the modified harvesting measures evoked it is currently unknown to what extent plantation operations on all or part of authorised plantation must be prevented or suspended or modified

In the circumstance that USWV are confirmed on site further evaluation will be required to assess whether plantation operations on all or part of authorised plantation must be prevented or suspended or modified.

In the case of an authorised timber plantation—the extent of the direct financial loss, if any, arising from harvesting operations on the plantation being so delayed, restricted or prevented altogether in order to protect unique or special wildlife values.

The extent of any direct financial loss arising from harvesting operations being delayed, restricted or prevented is unable to be determined at this time due to the fact that no area of authorised plantation is currently subject to restricted harvesting conditions other than the implementation of temporary harvest exclusion zones should a USWV species be confirmed on site.

Evaluation of any impacts or likely impacts of plantation operations on the unique or special wildlife

Connectivity to adjacent habitat: Areas of native forest or non-harvested native plantation are present within 500m of the plantation harvest area. Riparian vegetation will be retained on all mapped drainage lines following FCNSW standard mitigations applied in plantation harvesting. The area will be re-established with local native eucalypt species as soon as practical after harvesting operations.

Modified harvesting protocols are to be implemented if any USWV likely to grow on or inhabit the land are identified on site. These include the cessation of harvesting until such time that adequate action can be taken to circumvent likely impact on individual USWV.

The owner/ manager must advise the Plantations Regulation Unit should a USWV be confirmed within the harvest area.

Further investigation may be necessary to evaluate if proposed modified harvesting protocols will adequately address the individual circumstances of USWV confirmed onsite and minimise the likely impact on those values.

It is therefor considered that at this time the proposed plantation operation will not have a likely impact on USWV.

Determination


The implementation of modified harvesting protocols and the cessation of operations if a USWV is confirmed on site will alleviate the likelihood of an adverse impact on those species.

It is a condition of the plantation authorisation that the owner or manager of the plantation notify the Minister as soon as the owner or manager becomes aware that plantation operations on the plantation have or are likely to have an impact on unique or special wildlife values of the land concerned.

In the event that the following species are identified within the proposed harvest the following prescriptions are taken to be a condition of Authorisation.

Koala - *Phascolarctos cinereus*

Where a Koala is identified within the proposed harvest area the inhabited tree must be marked by the Harvest Coordinator or Crew, a 50m buffer (or greatest extent available) established around the inhabited tree and a temporary corridor of unharvested vegetation retained to link the inhabited tree to the nearest retained native vegetation.

Position of delegated officer	Name	Signature	Date
Manager Plantation Authorisation and Audit	Nick Myer		26/09/23

Attachments –

Attachment	Title
A	Regulatory controls for plantation operations impacting the critically endangered <i>Rhodomnia rubescens</i> and <i>Rhodomyrtus psidioides</i>
B	Determination of likely impact of plantation operations on the endangered species, <i>Phascolarctos cinereus</i> (Koala)
C	



Department of Primary Industries

OUT19/14030

Mr Nick Roberts
CEO Forestry Corporation of NSW
121-131 Oratava Avenue
West Pennant Hills NSW 2125

Dear Nick,

Regulatory controls for plantation operations impacting the critically endangered *Rhodomnia rubescens* and *Rhodomyrtus psidioides*

Mr Matt Dobson, FCNSW Senior Ecologist, has requested formal confirmation of the advice provided by DPI Forestry Plantations staff relating to additional regulatory controls and the management of the critically endangered species, *Rhodomnia rubescens* and *Rhodomyrtus psidioides*.

After considering the reasons for the threatened species listing and information provided by the DPI Forest Science team, I am satisfied that FCNSW plantation operations won't, or aren't, likely to impact the populations of these species at this time. As a result, we do not propose to apply any additional regulatory controls on FCNSW plantation authorisations.

It would be appreciated if FCNSW could collate distribution information for these two species wherever they occur on FCNSW plantations. Any information you collect may assist with any discussions about impacts on these two species into the future.

If your plantations operations change and have, or are likely to have, an impact on either of these species, FCNSW must notify DPI Forestry as required by section 33 of the *Plantations and Reafforestation Act 1999* (attached).

If you require any further information, please contact me on 02 6391 3613.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nick Milham'.

Nick Milham

Group Director Forestry Policy, Research and Development

18 October 2019



Department of Primary Industries

CM9 reference: RDOC22/105098

Forestry Corporation of NSW
Anshul Chaudhary

Dear Mr Chaudhary,

Determination of likely impact of plantation operations on the endangered species, *Phascolarctos cinereus* (Koala)

After considering the reasons for the threatened species listing and information regarding Koala habitat and ranges, I am satisfied that plantation operations undertaken in the circumstances outlined in Table 1 won't, or aren't likely to, impact the *Phascolarctos cinereus* (Koala) at this time. As a result, DPI does not propose to apply any additional regulatory controls on plantation operations consistent with the mitigation criteria outlined in Table 1.


Table 1: Mitigation criteria	
Adjacent habitat	Areas of native forest or non-harvested native plantation are present within 500m of the plantation harvest area.
Re-establishment	The plantation is replanted within 1 year of plantation harvest completion.
Mitigation measures for harvest operations	The plantation owner must undertake an inspection across the plantation prior to harvest or thinning operations commencing. A record of the inspection must be retained and made available to DPI. Where the plantation owner finds a koala or evidence of the presence of a koala (eg., scats or scratches on trees) the plantation owner must temporarily cease operations within 50 metres of the location of the koala or where evidence was found and contact DPI.

You will need to notify the DPI Plantations Regulation Unit of any Koala sightings within the plantation boundary. It is recommended that any information regarding distribution of the Koala in plantation areas is collated and supplied to DPI. Any information you collect may assist with discussions about impacts on this species into the future.

If your plantations operations change and have, or are likely to have, an impact on Koalas, the plantation owner must notify DPI Forestry as required by section 33 of the *Plantations and Reafforestation Act 1999* (attached).

If you require any further information, please contact Nick Myer on 0419970627 or nick.myer@dpi.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nick Milham', written in a cursive style.

Nick Milham

Group Director Forestry Policy, Research and Development

17 June 2022