



**FORESTS NSW**

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CEO08/0428

Senator Anne McEwan  
Chair  
Standing Committee on Environment, Communications and the Arts  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Dear Senator McEwan

I refer to your letter of 2 October 2008 and thank you for the opportunity to respond to the adverse comment made by a submitter about Forests NSW, in the context of the inquiry into the operation of the *Environment Protection and Biodiversity Conservation Act 1999*.

As you may be aware, the authority that administers the NSW legislation relevant to this inquiry, the Forestry and National Park Estate Act, is the Department of Environment and Climate Change (DECC). Forests NSW and DECC work closely together to ensure that the main instrument that regulates Forests NSW's activities, the Integrated Forestry Operations Approval (IFOA), is effective in protecting forest species and forest habitats.

With respect to the first of the two examples, provided by the submitter, the core of the accusation appears to be that the conditions contained in the IFOA, for the protection of the Hastings River Mouse, have, at the behest (sic) of Forests NSW, been weakened.

It is worth noting that it was surveys by Forests NSW ecologists in the 1980s that lead to the rediscovery of the Hastings River mouse. Ongoing surveys by Forests NSW through the 1990s were instrumental in building a comprehensive database on the distribution and abundance of the Hastings River Mouse in northern NSW and its habitat requirements. During this time Forests NSW applied a precautionary approach by setting aside large areas of forests from harvesting to protect the mouse. The result of the numerous field surveys and studies of records carried out provide a sound basis for the management of this species in State forests.

Based on its considerable body of scientific information Forests NSW requested DECC to review the conditions relating to the protection of the habitat of Hastings River Mouse and, if appropriate, to amend them with a view to making them more effective, practical and efficient to implement. This approach is consistent with the objectives of the legislation I do not believe that DECC would approve an amendment to conditions that would weaken the protection afforded to the important elements of habitat that are necessary for the persistence of this species.

In relation to the second of the examples provided by the submitter, Forests NSW did encroach on an area of forest that had been mapped as an exclusion zone not to be disturbed in the harvesting process in order to protect a Spotted-tailed Quoll latrine site (1.7 ha of a 12 ha exclusion zone). The latrine site extended over two compartments of forest planned for harvest at different times. An error occurred when the information from planning harvesting in one compartment was not transferred to the harvesting plan for the other compartment. Our systems have since been modified to prevent such a recurrence.

When the encroachment of the harvesting operation into the mapped exclusion zone was discovered, Forests NSW voluntarily reported the incident to DECC and quickly investigated and rectified the error in the harvesting plans. The mapped exclusion zone was amended to include a greater area of comparable undisturbed habitat in the immediate vicinity. The exclusion zone has remained intact during the balance of the harvesting process. DECC investigated the issue following notice from Forests NSW and accordingly issued a Warning Letter.

I can assure you that Forests NSW takes its responsibilities under the IFOA extremely seriously and will continue to ensure that all steps are taken to minimise impacts on forest species and forest habitats when carrying out the sustainable harvesting of native forests. Forest NSW continues to strive to comply with the numerous and complex conditions in the regulatory regime and maintains a qualified staff of ecological researchers and operational field staff to this end.

Thank you again for the opportunity to provide a response.

Yours sincerely



Nick Roberts  
CEO Forests NSW