

STATE FORESTS OF NSW

FOREST PRACTICES CODE

**Timber Harvesting
in Native Forests**

**State forests
and other
Crown Timber Lands**

November 1998

Native Forests Division

Published by:

State Forests of NSW

2/423 Pennant Hills Road, Pennant Hills, 2120

Locked Bag 23 Pennant Hills, NSW 2120, Australia

First published November 1993 as Code of Logging Practice
Native Forests, State forests and Crown Timber Lands

Reprinted October 1995 as Forest Practices Code Part 2
with minor amendments

Amended to include Supplements 1 and 2 December 1997

Second Edition published November 1998

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ISBN 0 7310 9110 8

Operational Circular 98/08 of November 1998

The Forest Practices Code series

Part 1: Timber Harvesting in State Forest Plantations, July 1995

Part 2: Timber Harvesting in Native Forests- State forests and Crown
Timber Lands, November 1998

Part 3: Plantation Establishment and Maintenance, July 1997

Part 4: Forest Roads and Fire Trails (Available December 1998)

Future Code parts will include fire management, grazing,
public use of forests, and forest protection..

Part 2

**Timber Harvesting in Native Forests
State forests and other Crown Timber Lands**

November 1998

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1. INTRODUCTION

State Forests of New South Wales is committed to the pursuit of excellence in the planning, implementation and execution of all timber harvesting operations throughout State forests and other Crown Timber Lands in New South Wales.

State Forests seeks to achieve ecologically sustainable management while maximising its commercial performance in the supply and sale of timber and other forest products to the forest industries.

This part of the Forest Practices Code deals with timber harvesting in native forests and aims to allow these objectives to be achieved responsibly. This Code provides State Forests' staff, principal licensees, contractors and operators in the forest industry with clear guidelines on the conduct of all aspects of timber harvesting.

The Code takes into account the principles of Forest Practice agreed to in the document *Forest Practices Related to Wood Production in Native Forest: National Principles* prepared by the Standing Committee of the Australian Forestry Council in May 1991.

Part 2 of the Forest Practices Code sets out the minimum standards for the conduct of timber harvesting operations. The ultimate specifications for any individual timber harvesting operation will be found in the harvest plan, prepared and approved for that operation. It is important to follow the additional site-specific conditions set out in a harvest plan as well as observing the Forest Practices Code and any other regulatory conditions.

This second edition of the Code addresses changes which have been made since 1993 as a result of legal and regulatory requirements.

BOB SMITH
Chief Executive
State Forests

November 1998

2. SCOPE

Part 2 of the Forest Practices Code applies to all timber harvesting operations conducted in all native forests under the control of State Forests of New South Wales and constitutes a condition of every Timber, Products, Contractors and Operators Licence and Sale Agreement. This Code is binding on all parties and individuals involved in the management and practice of obtaining timber or timber products from State forests and Crown Timber Lands.

It describes procedures designed to ensure:

- good workplace standards
- safe working practices
- protection of the ecological integrity of the forest and its environment
- maintenance of the productive capacity and biodiversity of the forest
- economically viable operations
- protection of forest assets

This Code fulfils State Forests' obligations to provide rules for the general conduct of timber harvesting operations that are acceptable to other regulatory authorities. As such, compliance will be subject to State Forests' own audit and review procedures, and to external inspection and reporting by other Government agencies.

Each timber harvesting activity is also controlled by the site-specific requirements and prescriptions set out in the harvest plan prepared for the forest area where the harvesting operation will take place.

The Forest Practices Code may be amended at any time if warranted by changes to legislation, State Forests' administrative procedures or external regulatory requirements. This second edition of Part 2 of the Code supersedes all other Codes of Practice previously approved by State Forests for timber harvesting in native forests.

3. LEGAL AND OTHER REQUIREMENTS

3.1 Legal authority to work in State forests and Crown Timber Lands

The laws of the State of New South Wales govern timber harvesting operations on State forests and other Crown Timber Lands. Principal licensees, contractors and operators, as defined in this Code, must comply with any provisions of the various Acts of Parliament and their Regulations and Ordinances that apply to timber harvesting operations.

The Acts and Regulations most relevant to timber harvesting operations are described in Appendix 1.

3.2 Forestry Act 1916 - Parts 4 and 5 of the Forestry Regulation 1994

State Forests of New South Wales has power under the Forestry Act and Regulation to control the obtaining of timber and products, the use of fire and other matters relevant to the proper management of State forests and other Crown Timber Lands.

Specific sections of the Forestry Act and Regulation that apply to timber harvesting are dealt with in this Code where appropriate.

3.3 Environmental policy

This Code is subject to State Forests' *Environment Policy Statement* and reflects that policy's goals and objectives. The full text of *the Environment Policy Statement* will be found inside the back cover of this Code.

3.4 Principles of Environmental Care

State Forests is committed to managing timber harvest operations in accordance with the Principles of Environmental care set out in *Forest Practices Related to Wood Production in Native Forests: National Principles*. These principles are found in the *National Forest Policy Statement*.

3.5 Australian Standards and other guidelines

Australian Standards and other guidelines relevant to timber harvesting operations are set out in Appendix 2.

4. LICENSING

4.1 *Timber Licences and Products Licences*

All timber harvesting operations must be authorised by a *Timber Licence* or *Products Licence* that contains conditions that are binding on the licensees. The conditions commonly attached to licenses are set out in Appendix 3. Where determined, timber harvesting operations may be authorised by a Sales Agreement.

4.2 *Contractors Licences*

Any person who contracts to one or more principal licensees and employs other persons to undertake timber harvesting operations must hold a *Contractors Licence*. Principal licensees must ensure that a *Contractors Licence* is issued to a contractor before timber harvesting operations commence.

4.3 *Operators Licences*

Any person who is employed or engaged by a principal licensee or contractor to work in timber harvesting activities must hold an *Operators Licence*. The *Operators Licence* will specify the work for which the operator is accredited and permitted to Perform a principal licensee is responsible to ensure compliance with this requirement. An operator must have the licence and any other supporting accreditation readily available for inspection at the location where the work is taking place.

4.4 *Licence issue*

Licences must be issued before operations commence. Anyone who undertakes or is employed in timber harvesting operations on State forests or other Crown Timber Lands without having first obtained an appropriate licence commits an offence under the provisions of the Forestry Act and Regulation.

4.5 *Amendments to licences*

State Forests of New South Wales has the right to amend a licence. Amendments should be attached to the original licence.

4.6 *State Forests' merchandising contractors*

Persons engaged by State Forests of New South Wales as merchandising contractors or employees of merchandising contractors must also hold current contractor's licences or Operator's Licences, as appropriate, under the Forestry Act.

5. LICENSEE'S RESPONSIBILITIES FOR CONTROL OF OPERATIONS

5.1 Principal licensees or merchandising contractors

Principal licensees and merchandising contractors are responsible for the conduct of contractors and operators engaged by them, and must take such action as necessary, to supervise and train timber harvesting workers to ensure compliance with:

- Forest Practice Codes
- Harvest Plans
- safety standards set by State Forests of NSW
- responsibilities and commitments under the OH&S Act
- instructions issued by Supervising Forest Officers
- relevant legislation
- the SEMGL 1993 and related documents
- conditions attached to any Pollution Control Licence issued by the EPA
- conditions of any licence issued by the NPWS

Section 12.4 and Figure 1 describe harvest plans in detail whilst Sections 7 and 8 describe safety and fire precautions.

5.2 Names and addresses of employees and other Operators

A principal licensee must keep the Supervising Forest Officer informed at all times during the currency of a Licence of the names and addresses of all persons proposed to be employed or engaged in the timber harvesting operations. A principal licensee must promptly notify the Supervising Forest Officer if any such person ceases to be employed.

5.3 Supervision

Principal licensees and/or contractors have a responsibility to provide for adequate supervision of operations to ensure effective implementation of the requirements of the Code, plan and licence conditions in the field. This may be achieved through the provision or nomination of field supervisors and bush supervisors where necessary. Principal licensees and contractors will advise the Regional Manager of any field supervisors and bush supervisors nominated for this task.

Field supervisors will give regular and effective field supervision of all activities under their control through proper direction and management of contractors and operators in the field.

Bush supervisors will be responsible for the effective implementation of this Code within their bush operations. A bush supervisor should generally be available on site whilst active logging operations are in progress.

5.4 Integrated timber harvesting operations-compliance with product specifications

Where integrated operations are conducted, the contractor (where appropriate) and/or the principal licensees involved are responsible for supervision to ensure that all products are produced to specification and in accordance with State Forests' requirements.

5.5 Movement and commencement of timber harvesting operations

Principal licensees and/or contractors must obtain approval from the Supervising Forest Officer before:

- commencing timber harvesting operations in a new harvest plan area;
- moving operations from one designated section of a harvest plan area to another; and/or,
- moving operations from one harvest plan area to another.

5.6 Voluntary closure and re-commencement of licensed operations

Any licensee intending to cease licensed operations must obtain approval from the Supervising Forest Officer prior to operational closure or the removal of timber harvesting machinery from the area.

All such licensees must then obtain approval from the Supervising Forest Officer before recommencing operations.

5.7 Logging of Crown leasehold land and land held under Occupation Permit in State forests

All licensees must respect the rights and activities of crown lessees and permittees of occupation permit areas within State forests by ensuring that:

- any lessee's or permittee's stock grazing on an area is not interfered with in any way;
- no internal or boundary fencing is opened for access without the approval of the occupier;
- any fencing damaged during the course of timber harvesting operations is repaired immediately to at least the standard existing prior to such damage;
- any damage to other property or improvement on the area is reported immediately to the Supervising Forest Officer.

6. HARVEST COMPLIANCE AND PERFORMANCE

6.1 *Harvest Compliance and Harvest Performance Systems*

State Forests' harvest supervisors and industry generally will cooperatively manage the control of timber harvesting operations to ensure compliance with legal and regulatory requirements. Where non-compliance occurs, each incident will be reported, investigated and, where necessary, remedial action undertaken to repair damage and remove any adverse safety, environmental or financial impact the incident may have caused.

6.2 *Reporting non-compliance*

Supervising Forest Officers and other harvest supervisors are responsible for reporting all non-compliance incidents. Reporting of non-compliance is also incumbent on all licensees in connection with *Pollution Control Licence* conditions, *Conservation Protocol* prescriptions, Harvest plan conditions, and other Licence conditions.

6.3 *Remedial action*

Where the consequences or damage resulting from of a non-compliance incident can be corrected without any further environmental or other damage, the principal licensee or contractor is then responsible for ensuring that the necessary remedial action is taken to rectify the failure.

6.4 *Non-compliance leading to breaches of Code or Licence conditions*

Where a non-compliance incident leads to a breach of regulations, Code or Licence conditions, State Forests will decide what sanctions are to be taken. The Regional Manager, Regional Sales Manager or Supervising Forest Officer is responsible for notifying the responsible person when they have failed to observe:

- Code and licence conditions;
- instructions given by a Supervising Forest Officer;
- compliance with accepted work standards;
- compliance with directions of a harvest plan.

State Forests may subsequently undertake one or more of the courses of action described in clauses 6.5 – 6.8 below in cases where a significant offence has occurred.

6.5 *Warning Letter*

A Regional Manager or Regional Sales Manager may waive any further sanction for a breach and issue a Warning Letter to the offending licensee.

6.6 *Infringement Notice*

A Regional Manager or Regional Sales Manager may issue an Infringement Notice imposing a fine on the licensee. The fine will vary according to the clause of the Forestry Regulation or section of the Forestry Act that prescribes the offence committed.

6.7 *Prosecution*

Notwithstanding any other action that may have been taken for a breach, State Forests reserves the right to prosecute offenders for major offences against the Forestry Act or the Forestry Regulation.

6.8 *Cancellation of licence*

Where breaches are continuously committed or repeated despite every effort to instruct and counsel the responsible person, State Forests may consider that a licence should be cancelled. Operations may be stood down if necessary, where cancellation is being considered.

6.9 *Standing down of operations for non-payment of royalty*

Timber harvesting operations may be stood down where a licensee has not met their obligations to pay for timber already obtained.

6.10 *Breaches of the Protected Lands provisions of the Soil Conservation Act*

Breaches of the *Protected Lands* provisions of the *Soil Conservation Act* may be subject to prosecution by the Commissioner for Soil Conservation, Department of Land and Water Conservation. The Act, apart from setting penalties for offences may also require rehabilitation of any resulting land degradation.

6.11 *Breaches of the Environmental Offences and Penalties Act (the Protection of the Environment Operations Act)*

Breaches of the *Environmental Offences and Penalties Act* (or the *Environment Protection Operations Act*) may be subject to separate prosecution by the Environment Protection Authority.

7. SAFETY

7.1 *State Forests' obligations*

State Forests, as the manager of timber harvesting operations on State forests and Crown Timber Lands, shares responsibility with licensees to ensure that all work is performed in a safe manner.

This includes all work performed by both State Forests' employees and all licensees engaged in timber harvesting and associated forest operations.

7.2 *Employee responsibilities*

All employees must comply with all reasonable directions given by their employer pertaining to safety. Each employee must take remedial action to remove potentially dangerous situations where that employee has the means to do so. Employees must report to their employer without delay any dangerous situations they are unable to rectify.

(In this Section the term employee includes anyone who holds an operators licence whilst the term employer may include anyone who holds a timber or products licence or sales agreements and anyone who holds a contractors licence.)

7.3 *Occupational Health and Safety Act 1983, Timber Industry (Health and Safety) Regulation 1982*

All work performed on State forests or Crown Timber Lands must be in accordance with the *Occupational Health and Safety Act 1983* and the *Timber Industry (Health and Safety) Regulation 1982*.

Section 15.2C of the Act provides that every employee shall receive adequate and appropriate information, instruction, training and supervision in relation to the work performed.

7.4 *Adequate training*

Field and bush supervisors must give effect to Section 5a of the *Timber Industry (Health and Safety) Regulation 1982* by ensuring that an employer does not permit any employee to undertake any work unless they have been adequately trained. The training must give instruction in the performance of the work, instruct as to any dangers associated with that work and in any safety precautions which ought to be taken.

Field and bush supervisors must give effect to Section 5b of the *Timber Industry (Health and Safety) Regulation* by ensuring that an employer does not permit an untrained employee to operate, without competent supervision, any power driven tool, machine or

equipment. The employee must have been adequately trained and instructed in its operation and is capable of operating it safely without supervision before using it in an unsupervised workplace situation.

All licensees, field and bush supervisors must ensure that all operators are accredited and licensed to operate machinery and vehicles where this is required by law.

7.5 Provision of safety equipment

Employers must ensure that employees and contractors possess and wear:

- (a) An approved safety helmet or cap;
- (b) Suitable heavy duty footwear, having firm ankle support and non-slip sole
- (c) Hearing protection of an approved type where noise pressure levels exceed 85dB(A) eg. chainsaws, skidders, tractors, some forwarders and processors);
- (d) Approved leg protection when using chainsaws.

Such equipment must be worn whilst working on the forest and must be maintained in a serviceable condition.

7.6 First aid kits

Employers must provide first aid kits to WorkCover Type “B” standard. (Refer to Appendix 2), marked and maintained in accordance with the Regulation:

- (a) At each timber harvesting site within reasonable walking distance of every employee;
- (b) On every vehicle used by or on behalf of the employer to transport any person to or from the site of timber harvesting work.

These first aid kits must be equipped, marked and maintained in accordance with the *Occupational Health and Safety (First Aid) Regulation 1989, and the Timber Industry (Health and Safety) Regulation*.

7.7 High visibility clothing

Approved high visibility clothing must be worn by all persons working on the ground within timber harvesting areas where active timber harvesting operations are in progress.

7.8 *Safety signs*

Warning of timber harvesting operations must be displayed on all road approaches leading to areas where harvesting operations are in progress. The format of these signs must conform to AS 1319 and other State Forests' requirements.

7.9 *Safety precautions for visitors*

(a) All visitors to active timber harvesting operations must wear the following personal protection equipment:

- an approved safety helmet
- suitable heavy duty footwear, with firm ankle support and non-slip soles
- approved high visibility clothing, eg. vest
- eye and ear protection if appropriate

(b) Immediately upon arrival at an active timber harvesting operation, visitors must report to the visitor guide, Bush Supervisor or SFO who will determine points from which operations can be safely viewed.

(c) The following minimum safety distances must be observed while operations are active:

Manual tree felling	at least 2 tree lengths
Log dump operations	12 metres from the working area
Mechanical harvesting	2 tree lengths and when the driver is advised
Active snig track	at least 2 tree lengths

Closer viewing of operations can be arranged with the permission of the visitor guide and the knowledge of the operator. Refer to State Forests' *Safety Standards Manual*.

7.10 *Checking of persons not working within calling distance*

Licensees must ensure that regular checking procedures to ensure the well-being of individual operators working out of calling distance from other logging crew members comply with *Timber Industry (Health and Safety) Regulation 10A*.

7.11 *Other safe working practices*

Other specific safe working practices and conditions may be prescribed by resolutions passed at representative safety meetings and these shall be adhered to under this Code.

7.12 *Reporting of accidents -work injuries*

All timber harvesting work injuries are to be reported *immediately* to the person responsible for the particular operation on which the injured person was working.

The injury should also be notified, as soon as practicable to:

- (a) The Principal Licensee, Contractor and or employer;
- (b) The safety and training manager of the appropriate recognised safety and training authority or organisation;
- (c) The Supervising Forest Officer or the Regional Office for the forest area where the operations are conducted;
- (d) WorkCover Authority for injuries resulting in the injured person being unable to carry out their usual work for a period of seven or more consecutive days.

7.13 Investigation of lost time accidents

All lost time accidents, (ie. accidents where one or more working days are lost by the injured person,) should be fully investigated by those nominated in 7.12 above and may be investigated by State Forests' Regional Safety Officer and other recognised industry safety officers as required. The principal licensee, and any contractor or employer is required to make any report available for further reference and the compilation of statistics.

8. FIRE PRECAUTIONS

General precautions

8.1 *Forestry Regulation 1994*

The Regulation restricts the use of fire and limits the unintentional ignition of fires on State forests and Timber Reserves as prescribed in clauses 17 - 31. The use of fire is generally precluded other than in very specific circumstances. These clauses of the Regulation also apply to licensed timber harvesting operations on all Crown Timber Lands.

8.2 *Duties of licensed persons*

Any licensed person must report the occurrence of any unauthorised fire promptly to a State Forests' officer or employee and, as far as practicable, must commence measures to extinguish the fire or prevent its spread. All licensees may be required to assist State Forests' staff in the control of any wildfire.

8.3 *Operation of machinery and equipment*

All machinery must be operated and maintained in such a way that it will not cause a fire to start, nor will itself catch fire. No person shall operate any vehicle or machinery unless:

- (a) it is fitted with a securely fixed, spark-free exhaust in good, serviceable condition;
- (b) the fuel, electrical and braking systems and all combustion chambers, manifolds, exhaust pipes and expansion chambers of the machine and the joints thereof are in all respects in good order and condition;
- (c) the machine is free of surplus oils, dust impregnated with oil, and vegetative matter;
- (d) The exhaust system of any equipment working in a stationary position must be directed away from flammable material.

Defective machinery must be withdrawn from use until the defect has been rectified and the machine made safe for operation. Machinery (when not in use) must be parked in areas free from flammable material and vegetation.

8.4 *Fuel storage and refuelling*

All fuel storage must comply with AS 1940.

(a) *Bulk storage*

Bulk fuel and oil storage units with a capacity over 200 litres shall at all times, other than during transport, be located on an area which has been cleared of inflammable material or vegetation for a distance of not less than 4.5 metres around the unit.

Such units must be capable of immediate removal from the site in an emergency, well maintained, free from leaks and free of accumulated debris.

(b) *Small containers*

Fuel and oil containers of capacity equal to or less than 25 litres shall be of a standard approved by the Supervising Forest Officer and in compliance with AS 2906. Such containers may be located only on an area which has been cleared of flammable material or vegetation for a distance of not less than 1.5 metres around the container.

(c) *Refuelling*

Machines must be refuelled where the ground is clear of all flammable material and vegetation for a distance of not less than 1.5 metres in all directions from the extremities of the machine.

(d) *Spills*

Fuel and oil spillage shall be cleaned up, recovered or covered with not less than 5 centimetres of nonflammable material. All spillages will be reported to the Supervising Forest Officer.

8.5 *Use of welding or oxy-acetylene equipment*

Welding or the use of oxy-acetylene equipment may be carried out only on machinery positioned on ground which has been cleared of flammable material or vegetation for a minimum of 1.5 metres from the operations. Welding and oxy-acetylene equipment use will not be permitted on days of extreme fire danger or during a Total Fire Ban. Where a Fire Threat Period has been determined by the Divisional General Manager or the Regional Manager, prior approval for use must be obtained from the Supervising Forest Officer. Reference should be made to regional standing instructions.

8.6 *Use of fire for cooking*

Open fires for heating, preparing meals, boiling water or for any other purposes must not be lit except in a fireplace approved by the Supervising Forest Officer. Any such fire must have the ground within 1.5 metres of the fireplace cleared at all points of inflammable material or vegetation. A fire must not be maintained within 4.5 metres of any bark heap, log, stump or tree.

Portable propane gas stoves may be used for cooking or boiling water but must use a fireplace approved by the Supervising Forest Officer. Any such place must also have the ground within 1.5 metres of the stove cleared at all points of all inflammable material or vegetation. A stove must not be lit or maintained within 4.5 metres of any bark heap, log, stump or tree. The stove must be completely extinguished when being left, either temporarily or otherwise.

8.7 *Buildings, camps, huts and tents*

Fires in buildings and camps shall only be lit in properly constructed fireplaces and shall be completely extinguished before being left. Each such building shall have a track or Firebreak surrounding it and the occupant shall take such other measures as may be required by the Supervising Forest Officer to prevent the escape of fire from the site.

Statutory Bush Fire Danger Period

8.8 *Statutory Bush Fire Danger Period*

A statutory Bush Fire Danger Period under the *Rural Fires Act 1997* applies from 1st October to 31st March the following year unless otherwise varied by local government to meet seasonal fire weather conditions.

Clauses 8.9 - 8.6 detail the additional precautions to be taken during the Bush Fire Danger Period.

8.9 *Fire fighting equipment to be provided during the Bush Fire Danger Period*

During the statutory Bush Fire Danger Period, fire-fighting equipment will be provided by licensees as specified in regional and local standing instructions. The minimum requirements for all logging operations are:

- (a) at a workplace centre within each timber harvesting area (ie. at a log dump, landing, personnel transport, vehicle park);

One knapsack spray, minimum capacity 16 litres, filled with water. Alternatively a pressure operated water type fire extinguisher to AS 1841 Pt 2 (1992), minimum capacity 16 litres (Only where high pressure air for refilling is readily available from a compressor attached to a harvesting machine)

At least one rake-hoe, rake or shovel in serviceable condition.

All equipment shall be kept at the dump or landing closest to the operation in working condition and available for immediate use.

- (b) on each mechanical unit used in harvesting, processing, loading or log haulage operations;

One serviceable powder type fire extinguisher to AS 1841, Pt 5 (1992) with a minimum capacity of 0.9 kgs.

One rake-hoe, rake or shovel in serviceable condition which shall be mounted and carried on the machine at all times in a secure and accessible position.

8.10 Operation of machinery and equipment during the Bush Fire Danger period

Prior to the statutory Bush Fire Danger Period all machinery and all fire fighting equipment supplied and operated by licensees shall be made available for State Forests' inspection. Licensees will be allowed to continue to operate such machinery and equipment during the Bush Fire Danger Period **only if it complies with the fire safety standards set out in clause 8.9 above.**

8.11 Daily machinery and fire fighting equipment checks during the Bush Fire Danger Period

After the cessation of operations each day, operators should thoroughly inspect machinery, fire fighting equipment and the harvesting area to ensure it is fire safe before leaving the site.

8.12 Use of fire for cooking during the Bush Fire Danger Period

Open fires for heating, preparing meals, boiling water or for any other purposes must not be lit or used within timber harvesting areas during the Bush Fire Danger Period. Gas stoves may be used during the Bush Fire Danger Period, subject to the conditions set out in clause 8.6 above.

Total Fire Bans

8.13 *Fires and Total Fire Bans*

No fires of any kind including gas stoves shall be lit in the open on days of Total Fire Ban.

8.14 *Welding and Total Fire Bans*

Welding and oxy-acetylene equipment use will not be permitted on days of extreme fire danger or during a Total Fire Ban. Where a Fire Threat Period has been determined by the Divisional General Manager or the Regional Manager, prior approval for use must be obtained from the Supervising Forest Officer. Reference should be made to regional standing instructions.

Extreme fire conditions or outbreak of fire

8.14 *Restrictions on timber harvesting because of fire conditions or fire outbreak*

Restrictions on harvesting operations may be imposed on operations during the statutory Bush Fire Danger Period in accordance with Regional and Local standing instructions. Further restrictions may be imposed on days where extreme fire danger conditions prevail (determined as a Fire Threat Period by the Divisional General Manager or Regional Manager) **or where a Total Fire Ban has been imposed.**

Reference should be made to the standing instructions relevant to the Region. These are available from the Regional Forestry Office. Suspension of all logging due to serious fire danger conditions may be imposed where wild fire is already present on State forest or Crown Timber Lands or is threatening State forests or Crown Timber Lands in close proximity to the operations concerned.

9. WET WEATHER CONTROLS

9.1 Application

Wet weather controls will apply to all aspects of timber harvesting operations on an all year round basis. They are designed to prevent unsafe working practices, and are vital in avoiding excessive soil disturbance, minimising water turbidity and avoiding undue damage to roads and tracks during periods of wet weather.

Regional Managers and Supervising Forest Officers are responsible for advising all licensees of local instructions concerning the wet weather conditions under which the various controls will apply. These controls may take the following forms:

- (a) Automatic closures without notification;
- (b) Notified closure (partial or total).

These wet weather controls may have additional seasonal weather controls specified in the harvest plan for the area.

9.2 Automatic closures

Automatic closures during wet weather will apply **without prior notification**. Automatic closures mean that all work associated with a particular task or machine must stop until the specified wet weather conditions cease.

Individual licensees are responsible for applying an automatic closure according to the task they perform or the machine they are using. Automatic closures may be supplemented by notified closures where necessary.

(a) *Manual tree felling*

An automatic closure applies once rainfall saturates exposed working surfaces and/or otherwise renders working conditions dangerous.

(b) *Mechanical felling/processing*

The operation of mechanical felling and processing equipment may continue during wet conditions providing machines are well supported by existing ground cover and/or slash and minimal soil disturbance will occur.

An automatic closure will apply if these conditions are not met.

(c) *Snigging/skidding*

An automatic closure applies to snig tracks when:

- it is raining, or
- there is runoff from the snig track surface, or
- there is a likelihood of significant rutting leading to turbid runoff from the track surface

(d) *Forwarding timber extraction*

An automatic closure applies to the operation of loaded forwarders when water is running in extraction tracks or there is a likelihood of significant rutting.

(e) *Shovel extraction*

Shovel extraction may continue during wet conditions providing machines are well supported by existing ground cover and/or are well supported by slash and minimal soil disturbance will occur.

An automatic closure will apply if these conditions are not met.

(f) *Long forwarding*

An automatic closure applies to the use of natural surface roads for long forwarding when there is runoff from the road surface.

Long forwarding on designated bitumen or gravel roads to secondary stockpiles may continue during wet conditions providing forwarders are not fitted with chains, and subject to notified closure requirements.

(g) *Log loading*

An automatic closure applies to the operation of mobile wheeled loaders, tracked loaders and crawler tractors on natural surface log dumps when it is physically raining and/or there is active runoff from the log dump surface. Log loader operators must not commence loading log trucks during these conditions.

The use of forwarders, excavators and truck mounted loaders as stationary loaders on both natural surface and gravelled dumps may continue during wet conditions, subject to notified closure requirements and maximum allowable soil disturbance limits.

(h) *Log haulage*

An automatic closure applies to the use of natural surface roads for haulage when it is physically raining and/or there is active runoff from the

road surface and table drains. Haulage over bitumen sealed and gravel roads may continue during wet conditions, subject to notified closure requirements.

Log trucks unable to be loaded due to an automatic closure may leave the forest provided it is safe to do so. During an automatic closure, log trucks must not be

loaded, and loaded trucks must not commence their journey from the dump to the mill over natural surface roads or tracks except:

- where a log truck is already partially loaded prior to commencement of a rainfall event. It may have loading completed and the truck shall be allowed to complete its journey provided it is safe to do so;
- where an exemption has been granted as described in 7.3 below.

During an automatic closure, haulage over bitumen sealed and gravel roads may continue, subject to notified closure requirements.

9.3 Exemptions

A Regional Manager or Supervising Forest Officer may grant a written exemption to an automatic closure for the use of any machinery involved in the timber harvesting operation or the use of roads by trucks. This is provided it can be demonstrated that their use does not cause damage if operated under the conditions described above.

9.4 Notified closures

Notified closures will apply when prolonged wet weather conditions or other factors are such that a normal recommencement of timber harvesting operations is likely to cause damage. Such a closure may be an extension of an automatic closure.

A Regional Manager will, where practicable, advise Principal Licensees and/or Contractors of the restrictions imposed on timber harvesting and log haulage due to wet conditions and the subsequent lifting of restrictions in the following ways:

- On weekdays: :during office hours;
- On weekends or public holidays: :by 3 pm. on the preceding day(ie:Friday)
- As arranged locally by the Regional Manager to meet special circumstances.

Principal licensees and/or contractors are responsible for notifying operators. However, in some instances, the Regional Manager or a Supervising Forest Officer may notify an operator directly.

9.5 *Partial closures*

The Regional Manager or a Supervising Forest Officer may notify a partial closure for specific timber harvesting operations or parts of operations beyond the time that an automatic closure would have been lifted. Such a closure is aimed at ensuring that additional drying time is given to prevent damage occurring to natural surface roads or tracks or snig/timber extraction tracks.

9.6 *Total closures*

A Regional Manager may notify a total closure for the whole timber harvesting operation when wet weather and runoff conditions are extremely adverse. Such a closure is aimed at preventing the likelihood of damage to gravelled and sealed roads and all phases of logging and log haulage must cease for the duration of the closure. Only the Regional Manager can impose total closures.

9.7 *Use of chains or heavy machinery*

The use of heavy machinery or machinery with wheel chains on roads during wet weather is strictly forbidden, except in emergency circumstances such as injury to personnel.

9.8 *Closure of roads and use of flooded roads*

The Regional Manager may close individual forest and log haul roads to traffic during wet weather or flood periods by directing the placement of *Road Closed* signs or physical barriers. The traverse of such roads within State forests and Crown Timber Lands by haulage vehicles and harvesting machinery during the periods for which they are closed is prohibited except in an emergency.

9.9 *Adverse weather stockpiling*

There is a collective responsibility on all parties to minimise the need for operations during wet and other adverse weather conditions. It is the responsibility of principal licensees and/or contractors or field and bush supervisors where applicable to ensure that sufficient timber is stockpiled to allow milling or processing plants to continue production during adverse weather conditions.

10. POLLUTION CONTROL

10.1 *Soil erosion control works*

All licensees must, during the course of licensed operations, carry out erosion control work where appropriate, in accordance with the harvest plan for the area. Where the detailed scheduled conditions of a *Pollution Control Licence* do not apply to a harvesting operation, the *SEMGL 1993* and other DLWC/State Forests' instructions provide the guidelines for soil erosion and sediment control measures.

10.2 *Pollution Control Licence and Environment Protection Licence*

All licensees and State Forests' staff must observe the conditions of any Licence issued by the EPA and applicable to the area specified in the harvesting plan. A booklet that summarises *Pollution Control Licence* conditions that must be observed by licensees is available on request from any State Forest Office.

All licensees and State Forests' staff must observe those EPA licence conditions that apply to:

- operating conditions for logging operations
- operating conditions for roads
- storage and handling of hazardous substances and waste(See also clause 8.10 in relation to fuel storage);
- machinery servicing and repairs;
- waste disposal;
- immediate reporting of pollution incidents.

Other soil protection measures that are employed in various parts of the State include:

- Standard Erosion Mitigation Guidelines for Logging in NSW (SEMGL)1993
- SEMGL for Native Forests of Inland NSW
- Soil Conservation Measures for Logging in River Red Gum Forests on the Depositional Floodplain of the Murray Darling Catchment

11. FLORA AND FAUNA MANAGEMENT

Conservation Protocols and licensing by the NPWS

All harvesting operations are subject to the provisions of the Threatened Species Conservation Act, the National Parks and Wildlife Act and provisions in relevant Forest Agreement legislation with regard to the protection of threatened species. The Conservation Protocols agreed to by NPWS and State Forests of New South Wales form the basis of survey for threatened species and the determination of prescriptions in harvest plans.

All licensees and State Forests' staff must observe the site-specific conditions included in a harvest plan for the management of threatened flora and fauna during harvesting operations.

These prescriptions may include conditions for habitat protection and/or actions to be taken where the presence of a threatened species is found during the progress of harvesting operations.

12. PLANNING FOR HARVESTING OPERATIONS

12.1 *State Forests of New South Wales responsibilities for planning*

State Forests is responsible for the planning and management of all harvesting operations on State forests and other Crown Timber Lands. State Forests will provide overall planning services for timber harvesting operations, including the preparation of plans of operation where these are required.

12.2 *Plans of operation*

Plans of Operation provide the basis for the scheduling of timber harvesting operations in time and location. A Plan of Operation represents the intermediate level of planning between a management plan and individual harvesting plans.

Where provided for in wood supply agreements, State Forests must supply formal plans of operation as specified. These plans will include the following details:

- Location of operations;
- Operation type;
- Topography rating;
- Timing of operations
- Expected yield;
- Integration requirements.

Where wood supply agreements do not apply, planning should be generally along the lines indicated above.

Where factors beyond reasonable control intervene such as weather, natural disasters or poor markets, plans of operation may be varied, in consultation with industry generally and the individual licensees who are affected.

Principal licensees should satisfy themselves as to the adequacy of these plans and enter into early consultation with Regional Managers to rectify any deficiencies.

As soon as possible after the acceptance of the plan of operations, principal licensees and field supervisors should involve contractors in planning for its implementation.

12.3 *Harvest Plans*

Licensees must carry out all operations in a harvest plan area in accordance with the harvest plan prepared for the area. The harvest plan will usually contain the items shown in Figure 1.

- (a) Where possible, the Regional Manager will make draft harvest plans available to principal licensees and their contractors prior to their adoption. If required, the Regional Manager will arrange for inspection of the harvest area with licensees and consultation to ensure their workability.
- (b) Copies of final harvest plans will be distributed to all principal licensees and contractors operating in the harvest plan area.
- (c) Copies will be made available to other licensees on request.
- (d) Under no circumstances may harvest operations commence without an approved harvest plan.

12.4 Variations to harvest plans

A Supervising Forest Officer may make minor variations to a harvest plan in the field, with the approval of the Forest Planner. A major variation to a harvest plan can only be issued with the approval of the Regional Manager.

Figure 1 The Parts of an Operational Harvest Plan

Map

- harvest area boundaries
- topographical features (contours, watercourses and other drainage features);
- roads (natural surface and gravel);
- log dumps
- filter strips and riparian buffers;
- crossing points for roads and snig tracks across watercourses and drainage lines (where known at time of plan preparation);
- special prescription areas, exclusion zones or modified harvest area zones.

Plan instructions

1. Area identification
2. Silvicultural prescription
3. Legal conditions
4. Flora and fauna conditions
5. Soil and water protection
6. Drainage features
7. Tree marking specifications
8. Roads and crossings
9. Log dumps
10. Extraction tracks
11. Product specifications and accounting
12. Yield estimates
13. Certification
14. SFO acknowledgment
15. Harvesting contractor acknowledgment

Roading Plan

Instructions for new road construction

Instructions for existing road repair and maintenance

Instructions for construction of drainage feature crossings

Instructions for existing drainage feature crossing repair and maintenance

SFO reporting requirements

Commencement and cessation dates

Weekly and biweekly inspections

Record of road construction, upgrading or maintenance

13. TREE MARKING

13.1 Tree marking only by authorised State Forests of New South Wales staff

Only State Forests' staff are authorised to mark or cancel marks on trees. Unauthorised persons must not remove or interfere with any mark made by an authorised Officer on a tree.

13.2 Trees felled in error

Trees felled in error must be reported to the Supervising Forest Officer.

13.3 Tree marking code

Trees may be marked for either retention or felling as specified in the harvest plan using the tree marking code approved by the Regional Manager. Specific departures from the regional tree marking code must be specified in the harvest plan for the area.

- (a) Where trees are marked for retention they must not be cut or damaged. Unmarked trees must be removed unless they do not meet the minimum specifications for the operation.
- (b) Where trees are marked for removal, they must be taken unless they do not meet the minimum specifications for the operation. Unmarked trees must not be cut. Every reasonable effort must be taken to minimise damage to unmarked trees that are to be retained.
- (c) Trees indicated for removal may not be fallen if the operator considers personal safety to be threatened.

A model tree marking code is set out in Figure 2.

Figure 2 - Model Tree Marking Code

RETAINED TREES AND BOUNDARIES	
Description	Symbol
Retained trees Trees not to be removed or damaged	One stripe or ring
Boundary not to be crossed by machine Areas where disturbance by harvesting is allowed but machinery access is prohibited	Two stripes or rings
Boundary not to be crossed Line not to be crossed or disturbed by fallers or harvesting machinery at any time Private property, Flora Reserve boundary, retention area (wildlife area/corridor),etc.	Three stripes or rings
Drainage feature boundary not to be crossed Native forest filter strip or riparian buffer	Three stripes or rings
Drainage depression buffer strip	Not marked
Retained tree for wildlife habitat	H or R

TREES TO BE REMOVED	
Individual tree	• or •••
Directional felling mark	← ← • or •••

ADDITIONAL INFORMATION MARKED ON TREES	
Compartment boundary	O
Slope angle indication (commences here)	25°
Approved dump site	D
Road/track alignment (before construction)	I
Approved crossing	↔
Cancellation mark	X
Note that the information symbols can be used with retention (stripes or rings) or removal marks (•)	

This tree marking code may be modified to meet local conditions. Each tree marking code should specify colours, symbols or letter markings as shown which indicate whether trees should be retained or removed or gives other harvest area information.

14. TREE FELLING AND SERVICING OF LOGS AND PRODUCTS

14.1 *Safe chain saw practice - accreditation and competence of manual tree fallers*

Manual tree fallers and other chain saw operators must observe the following requirements:

- That they hold accreditation acceptable to State Forests of New South Wales for the class of timber and type of felling required;
- Non accredited fallers so licensed are working under the direct supervision of an accredited person with the approval of State Forests.
- Fallers working in close proximity in the logging coupe are far enough apart not to endanger one another. The minimum separation distance is two tree lengths.

It is strongly recommended that suitable leg protection should be worn where practicable whilst tree felling. **Wearing of leg protection for chainsaw operation on a dump is compulsory.**

14.2 *Marked trees*

A licensee, contractor or operator must fell any tree marked for felling or otherwise indicated as a tree to be felled provided that it is safe to do so.

A licensee, contractor or operator must not fell or damage any tree marked for retention or otherwise indicated for retention.

14.3 *Conduct of tree felling operations - placement of road signs for tree felling operations*

The principal licensee or contractor shall be responsible for the erection of signs warning of tree felling operations. The signs must conform to AS 1319 and carry the words *Tree Felling in Progress*. The signs must be placed on all tracks and roads giving access to the tree felling operations. The signs must be placed so that they are clearly visible to oncoming traffic approaching the operation area.

14.4 *Felling of trees across or near roads, fences and other structures*

An operator shall not fell any tree on, onto or across any road or track (including any road batters, table drains, drainage structures), fences or other improvements or structures unless permitted by the Supervising Forest Officer. Where such trees are felled under authority, the debris shall be removed as soon as practicable and repairs effected immediately to any damage caused.

14.5 *Control of traffic when felling near tracks or roads*

The principal licensee or contractor is responsible for the additional traffic control measures required when trees are to be felled within two tree lengths of ANY trafficable road or track. The thoroughfare must be closed by the erection of temporary barriers and signs until felling and snigging is completed.

Where a large number of tracks occur in the vicinity of logging operations, the licensee or contractor will place signs and barriers as directed by the Supervising Forest Officer.

14.6 *Tree felling*

(a) *Stump height*

Tree fallers must ensure that the stump height of felled trees is kept to the minimum consistent with safe working practice and with maximum recovery of utilisable timber. Subject to these considerations, stump height should not exceed 30 cm or 50% of stump diameter, whichever is the greater.

(b) *Directional felling*

Tree fallers must use directional felling techniques when necessary to:

- avoid damage to the fallen stem;
- minimise damage to retained trees;
- avoid hang-ups;
- minimise disturbance caused by snigging;
- avoid felling trees into filter strips or other exclusion areas.

(c) *Hang ups*

Tree fallers must bring all trees lodged during felling (hang ups) to the ground as soon as practicable. This includes trees still upright after cutting is completed. Where there is any delay, the tree must be flagged with an approved flag.

Once there are more than three flagged trees in any single operation, the faller must cease felling of other trees until the lodged trees are brought down and made safe.

(d) *Filter strips*

Trees must not be felled into nor within filter strips except for the purposes of road construction as specifically authorised according to the conditions set out in the harvest plan for the area.

(f) *Road-line trees*

Trees fallen or pushed during road-line clearing must not be left in a potentially dangerous manner ie. under excess tension or compression or as "hang ups".

14.7 Utilisation and utilisation standards

Licensees must ensure that all trees felled or pushed out:

- (a) are serviced for maximum utilisation of logs or products on the basis of maximum volume of the highest value product;
- (b) offer the fullest opportunity for other products to be converted from the remainder of the tree;
- (c) have sufficient work carried out to satisfy the Supervising Forest Officer that no remaining parts of the tree meet log or product specifications.

Details of the timber and product specifications relevant to the Region are available from the appropriate Regional Office.

15. SNIGGING AND TIMBER EXTRACTION

15.1 *Accreditation and competence of Operators*

All timber harvesting machinery operators must be accredited to work the machines they operate, and hold statements of proficiency from their employer and /or the relevant WorkCover or RTA licenses.

15.2 *Safe snigging and timber extraction*

Principal licensees and contractors must ensure that:

- The timber harvesting machinery used complies with the Timber Industry Regulations and is fitted with an approved safety canopy;
- The timber harvesting machinery used has been approved by the Regional Manager or the Supervising Forest Officer as suitable for use in logging operations in the Region.
- Snigging, loading and unloading operations must comply with Codes of Practice issued by WorkCover

15.3 *Conduct of snigging operations*

Principal licensees and contractors must ensure that any operators conducting snigging operations:

- (a) carry out work in such a manner as to minimise soil disturbance, water pollution and environmental disturbance generally, as specified in the harvest plan for the area;
- (b) carry out snigging or timber extraction with the minimum practicable disturbance to remaining vegetation, except that where ground disturbance is silviculturally necessary, they are permitted to disturb the ground vegetation and litter layers as specified in the harvest plan for the area;
- (c) work the harvest area in a systematic manner to ensure that a minimum practicable number of tracks are open at any one time;
- (d) do not snig on roads or fire trails except with the approval of the Supervising Forest Officer. In each case the operator must repair any damage caused by the snigging or timber extraction operation as quickly as possible.
- (e) do not damage catch drains for ground tanks and fire dams, bore drains or irrigation channels where these occur within a logging area. Operators will be responsible for any subsequent repairs that are needed;

- (f) adopt snigging or timber extraction techniques that minimise damage to remaining trees and regeneration. These techniques should avoid:
- Careless location and alignment of snig tracks and extraction tracks resulting in damage to root systems and butts of retained stems;
 - Tracking through regeneration and regrowth;
 - Bruising or removing bark from butt and stem of retained trees;
 - Breaking of stems and crowns of retained tree;
 - Pushing up logging debris and bark against retained trees;
 - Stacking logs against retained trees;
- (g) promptly remove logging debris remaining on permanent roads, fire trails, in table drains, mitre drains, or overhanging batters.

16. LOG DUMPS AND LOADING

16.1 *Log dumps*

Licensees must ensure that log dumps are located as specified in the harvest plan. Dump size should be limited to the minimum area needed for efficient, safe operations.

Temporary and permanent log dumps should be constructed, maintained, dismantled and the sites restored in accordance with Pollution Control Licence schedule conditions and as specified in the harvest plan for the area. Dumps should not be located closer than 10 metres from a filter strip.

16.2 *Bark*

Licensees are responsible for ensuring that excessive bark accumulated at the dump shall be returned to the logging area and dispersed as far as practicable in heaps not exceeding 2 cubic metres.

Care must be taken to avoid the excessive mixing of soil with the bark.

Bark may be left on snig tracks but will not be used in the construction of snig track drainage.

Where other measures are required for the disposal of bark, these will be specified in the harvest plan for the area. Bark shall not be deposited around any tree marked for retention or other retained trees and should not be included in the construction of drainage crossbanks.

Bark may be used to protect soil from loading machinery at the log dump. Such use will be specified in the harvest plan for the area.

14.3 *Loading*

Licensees must snig or extract logs and other products only to approved dumps for loading.

Unless otherwise specified loading of logs on roads and tracks outside log dumps is prohibited.

Natural surface dumps may be closed to loading during wet weather conditions. Gravelled log dumps may be used in wet weather in accordance with an exemption granted under clause 9.3. Loading machinery fitted with tyre chains or tracks must not operate or travel on gravelled or sealed roads without approval from the Supervising Forest Officer.

17. MEASURING, TALLYING AND REMOVAL OF TIMBER

17.1 Measurement and tallying of timber - use of delivery dockets

Truck drivers and/or other designated operators must complete their delivery dockets to the required format and detail before leaving the logging area, as instructed in the Code of Procedure for Recording of Timber and Products which applies to the Region. Where the Code of Procedure so instructs, logs, timber and products must be marked with measurements and other identification as approved in that Code.

17.2 Defacing of approved log markings

Markings on logs as specified in clause 17.1 above shall not be altered, defaced or removed unless otherwise authorised by a Supervising Forest Officer.

17.3 Availability of delivery dockets for inspection

Delivery docket books must always be available for inspection by Supervising Forest Officers and other authorised officials (RTA inspectors, police) on request.

17.4 Timber and product specifications

Details of the timber and product specifications relevant to the Region are available from the appropriate Regional Office.

18. TIMBER HAULAGE

18.1 Haulage vehicle compliance with Traffic Act and other legislation

Principal licensees and contractors must ensure that the road haulage vehicles used for the purposes of their licence or sale agreement comply with regulations prescribed under the *Traffic Act 1909* and the *Roads Act 1993*.

The vehicles should also comply with ordinances made under the *Local Government Act 1993* and with the *Timber Industry (Health and Safety) Regulation 1982*.

In addition, haulage vehicles must comply with any specific constraint in regard to speed of travel, weight or length that may be prescribed by the Regional Manager.

18.2 Maintenance of forest roads

State Forests of NSW will be responsible for normal maintenance of forest roads. However, contractors and operators will be held responsible for the repair of excessive damage caused by irresponsible action on their part. In particular a licensee must ensure that:

- (a) timber harvesting debris from loading and haulage operations is not left on roads. The licensee is responsible for the systematic removal of any debris;
- (b) all road drainage structures within and beside harvest areas including table drains, culverts and mitre drains are maintained in working order on a daily basis during the course of operations;
- (c) all persons driving vehicles using forest roads must obey traffic control signs that have been displayed either permanently or temporarily under the State Forests' authority or by licensees in compliance with other sections of this Code.

18.3 Closure of roads to avoid damage

Roads may be closed to haulage vehicles when, in the opinion of the Regional Manager, damage to the road formation or its structures are expected to occur. Notification may be given verbally to the relevant licensee. (See also section 9. Wet Weather Controls.)

18.4 *Conduct of haulage operations*

- (a) Operators are not permitted to operate wheeled loading machinery (fork lift types), forwarders and log trucks on sealed or gravel roads when equipped with wheel chains;
- (b) Truck drivers must securely restrain all loads in accordance with section 12 of the *Timber Industry (Health and Safety) Regulation* before the haulage vehicle leaves the loading point. Short logs should receive special attention;
- (c) Licensees are responsible for ensuring that all timber and timber products harvested from the operation are removed from the forest without delay;
- (d) Licensees may have permission from the Supervising Forest Officer to temporarily stockpile timber in the forest, in an emergency. The Supervising Forest Officer will determine the conditions that shall apply. Any routine arrangement to stockpile must be approved by the Regional Manager or set out in the harvest plan for the area.

19. MISCELLANEOUS

19.1 Firearms

No persons may carry a firearm or any other hunting device or hunt any animal on a State forest, timber reserve or flora reserve without a Hunting Permit or other authorisation from State Forests of New South Wales. Firearm users must be appropriately licensed and any firearms properly registered.

A firearm may be confiscated if carried on State forest without a Permit.

19.2 Residing on State forest

Licensees should obtain the prior approval of the Regional Manager or lessee's permission to camp, caravan or otherwise reside on State forest or other Crown Timber Lands.

19.3 Noxious weed control

Principal licensees and all other persons engaged in timber harvesting operations must take necessary precautions as instructed by a Supervising Forest Officer to prevent the introduction or spread of noxious weed during timber harvesting operations. If required, machinery, equipment and vehicles involved in the operations may need to be cleaned as instructed. Such cleaning operations should be conducted well away from water courses and drainage lines.

19.4 Forest diseases, pests and hygiene

Contractors and operators must clean timber harvesting machinery, equipment and log trucks of soil and forest debris before moving it from a declared risk area to another operation. They must also observe any other disease and pest control measures that are introduced if required.

APPENDIX 1 LEGISLATION

1. *Forestry Act 1916*

(Administered by **State Forests of New South Wales**).

The Forestry Act 1916 is the principal legislation governing the operations of State Forests NSW. The Forestry Act gives State Forests NSW power to control and manage forestry areas, to acquire land, to establish and maintain plantations, to construct and maintain roads and trails, to engage employees, to control the use of fire, and to regulate and control the use of roads.

The Act also allows State Forests NSW to enter agreements and form partnerships with other parties, including local government and other public authorities, to undertake forestry on areas other than Crown Timber Lands.

The Act requires State Forests NSW:

“To preserve and improve, in accordance with good forestry practice, the soil resources and water catchment capabilities of Crown Timber Lands”

and;

“To take all practicable steps it considers necessary or desirable” to preserve and enhance the environment.

The Act authorises designated forest officers to control the activities of all persons, contractors, licensees and the public, including the use of vehicles and machinery, on State forests. Authorised forest officers may also issue penalty or infringement notices for specified offences against the Forestry Act.

2. *Forestry Regulation 1994*

The Forestry Regulation gives State Forests NSW and its delegated authorised officers (which may include member of the NSW police force) certain powers in relation to administration of the Forestry Act.

The Regulation also provide for State Forests NSW management and control of State forests, including forest roads, fire control, and the issue of licenses and permits. The Regulation also describes offences that may be committed under the Act and provides for any penalties to be applied.

3. *Construction Safety Act 1912*

(Administered by the **NSW WorkCover Authority**)

The Construction Safety Act provides for the accrediting and licensing of operators of cranes, forklifts, front-end loaders and backhoes.

All Operators who operate fork lift machines or other log loading machinery during logging operations must have a Workcover " Fork Lift Operators Licence" or a "Crane Operators Licence" appropriate to the machinery used. This Act and Regulations require the accreditation of Operators prior to the issue of such licences.

4. ***Dangerous Goods Act 1975, Dangerous Goods Regulation 1978***
(Administered by the **NSW WorkCover Authority**)

The Dangerous Goods Act provides for the classification of Dangerous Goods. The Dangerous Goods Regulation 1978 regulates their transport and storage. Dangerous goods include flammable and combustible liquids. All licensees who operate hulk storage fuel systems must comply with the Regulations and Australian Standard 1940-1993 where these apply.

5. ***Environmental Planning and Assessment Act 1979***
(Administered by the **Department of Urban Affairs and Planning**)

Some objectives of the Environmental Planning and Assessment Act are to encourage:-

“the proper management, development and conservation of natural and man made resources, including agricultural land, natural areas, forests for the purpose of promoting the social and economic welfare of the community and a better environment”;

“to encourage protection of endangered fauna and rare flora”; and;

“protection of the environment.”

The Act promotes the sharing of responsibility for environmental planning between the different levels of government in the State, and encourages public participation.

State Forests operates under Part 5 of the E.P.&A. Act, and where necessary prepares environmental impact assessments and Environmental Impact Statements (EIS's), which may include Species Impact Statements (SISs) for forestry and timber harvesting operations in compliance with this Act. Decisions made in the determination of an EIS may affect timber harvesting operations through site specific conditions included in Harvesting Plans.

6. ***Environmental Offences and Penalties Act 1989*** -(Littering on State forests)
(Administered by the Environment Protection Authority, local government and other public authorities)

It is an offence to deposit litter on State Forests, Timber Reserves and Flora Reserves. Supervising Forest Officers can take action under this Act. Note that this Act will be repealed with the *Protection of the Environment Operations Act 1997*.

7. ***Factories, Shops and Industries Act 1962***
Timber Industry (Health and Safety)Regulation 1982, amended 1988 (TI Regs)
(Administered by Workcover NSW)

All persons engaged in timber harvesting operations are required to comply with the Timber Industry (Health and Safety) Regulation 1982/1988.

The Regulation includes requirements covering:

- employee obligations and the proficiency of workers;
- the wearing of safety helmets, hearing protection and protective clothing;
- provision of first aid kits;
- guards on the moving parts of logging machinery;
- felling and logging techniques;
- hand tools;
- high-visibility clothing.

8. ***Fisheries Management Act 1994***
(Administered by the **Minister for Agriculture and Fisheries**)

Sections 218 to 220 of this Act refer to obstructions to fish passage. Section 218 gives the Minister authority to require the construction of works (other than public authority works) that enable fish to pass through or over dams, weirs or reservoirs. These Sections of the Act need to be considered when constructing bridges, culverts or other watercourse crossings for forest roads and trails.

9. **Heritage Act 1997**
(Administered by the Minister for Planning and Urban Affairs)

The Act aims to ensure that environmental heritage is properly identified and conserved. It also establishes the Heritage Council of NSW. The Council may make recommendations to the Minister on whether to make conservation orders.

Under the Act, any permanent, interim, or protective order relevant to protect a natural or cultural heritage conservation item on Crown-timber land must be notified to State Forests. State Forests of NSW maintains a Heritage and Conservation Register that record details of any heritage item that could be subject to a heritage conservation order, as required under S.170 of the Act..

10. **National Parks and Wildlife Act 1974**

This Act makes it an offence to harm or pick a protected species, threatened species, population, ecological community or damage a critical habitat or other habitat of a threatened species, except:

- under authority of a license issued by NPWS; or,
- in the course of an activity that has satisfied the requirements of the E.P.&A. Act 1979.

Aboriginal relics

All aboriginal relics require protection. It is an offence to disturb aboriginal relics or declared aboriginal places without the consent of the Director-General NPWS. Relics may not be disturbed, moved or removed from Crown land. Any relic discovered must be reported to the Director-General NPWS.

Any relic discovered is to be left undisturbed and reported to the Regional Manager.

11. **Occupational Health and Safety Act 1983 (OH & S Act)**
Occupational Health and Safety (First Aid) Regulation, 1992 (OH&S [First Aid] Regulation) (Administered by Workcover NSW)

State Forests has a special duty, under Sections 15, 16(1) and 17(1) of this Act, to make certain that all forest workers have as safe a work environment as is practical, use safe equipment and adhere to safe working practices. State Forests must also ensure that employees, contractors and the visiting public are not exposed to risks to their health or safety in the forest environs as a result of actions by State Forests' employees or its' contractors including licensed contractors and operators.

Therefore all persons engaged in the timber industry must comply with the provisions of the O H & S Act. As part of its obligations under this Act, State Forests requires certification of the proficiency of licensed Operators working in State forests and other Crown Timber Lands.

The OH&S (First Aid) Regulation deals with the provision, maintenance and use of industrial first aid kits.

12. *Pollution Control Act 1970, Clean Waters, Act 1970, Environmental Offences and Penalties Act 1989*

(Administered by the NSW Environment Protection Authority and local government)

Many timber harvesting operations in New South Wales operate under a Pollution Control Licence issued by the EPA under Section 17A (b) and 17D of the Pollution Control Act to minimise or prevent water pollution.

All three Acts deal with the control of pollution including the discharge of chemicals and other forms of water pollution. Note that these Acts will be repealed with the *Protection of the Environment Operations Act 1997*.

13. *Protection of the Environment Operations Act 1997*

(Administered by the **NSW Environment Protection Authority**)

This Act consolidates all the New South Wales Acts concerned with environmental protection. It will replace the:

- *Clean Air Act 1961*;
- *Clean Waters Act 1970*;
- *Environmental Offences and Penalties Act 1989*;
- *Noise Act 1975*;
- *Pollution Control Act 1970*.

The objects of the Act include:

- Protection, restoration and enhancement of the quality of the environment in New South Wales, having regard for ecologically sustainable development;
- Provision of increased opportunities for public involvement and participation in environment protection;
- Ensuring that the community has access to relevant and meaningful information about pollution;
- Reduction of risks to human health and prevention of degradation of the environment by the promotion of:
 - pollution prevention and cleaner production;
 - reduction of substance discharge to environment harmless levels;
 - reduction and recycling of materials;
 - progressive environment improvement and pollution reduction at source;
 - monitoring and reporting environment quality;
- Rationalisation and improvement in legislative regulation and administration
- Assistance in waste minimisation.

Logging operations in the Schedule are described as:

- (1) the cutting and removal of timber (being sawlogs or pulplogs) from a compartment, where
 - (a) at least 20% of the compartment has a slope greater than 18°, and
 - (b) at least 30 timber stems (at least 40 cm in diameter at breast height) are to be cut and removed from each hectare of the compartment when averaged over the net harvestable area of the compartment, or
- (2) the construction of new access roads within a compartment for cutting and removal of timber as referred to in paragraph (1), or
- (3) the construction of new access roads for hauling timber from more than one

compartment.

This item does not include any activity on a timber plantation and does not include any activity west of the Great Dividing Range.”

Note that the Pollution Control Licence held by State Forests of NSW will become an Environment Protection Licence under this section of the Act.

14. Rivers and Foreshores Improvement Act 1948
(Administered by the **Department of Land and Water Conservation**)

Part 3A of this Act provides for the protection of rivers and lakes in relation to excavation and alteration to the bed and banks of rivers and lakes either for property improvement, extraction of materials (sand, gravel, etc) or in association with the construction of river crossings such as bridges and causeways. State Forests, of NSW as a public authority, is exempt from the requirement to obtain a permit under S.22 of the Act. However, there may be some instances where a major stream or river crossing is proposed, where close consultation with DLWC in the design and construction of the crossing may be needed to ensure that the protective intent of this part of the Act is met. The extent of overlap between the requirements of this Act and the Soil Conservation Act in respect of prescribed streams is unclear.

15. Rural Fires Act 1997
(Administered by the **NSW Rural Fire Service**)

The Rural Fires Act provides for the prevention, control and suppression of bush fires, and for the mitigation of danger resulting from fires. The Act contains provisions for the control and suppression of fires that are imminent or burning, including a definition of the responsibilities of various authorities during bush fire emergencies. Importantly, it also ensures that measures to reduce the hazards that contribute to the occurrence, intensity and spread of fire are carried out by responsible agencies such as State Forests.

This Act regulates the proclamation of the Bush Fire Danger Period in New South Wales and declaration of Total Fire Bans under adverse fire weather conditions. It restricts the lighting of fires in the open except under prescribed conditions and coordinates major fire fighting activities during emergencies.

This Act also prescribes penalties for various offences.

16. Soil Conservation Act 1938
(Administered by the **Department of Land and Water Conservation**)

Timber harvesting on Crown Timber Lands other than State Forests or Timber Reserves which are Protected Lands

The Soil Conservation Act regulates clearing on certain categories of “protected land”. It determines protected lands within proclaimed catchments under three categories:-

- (a) land which has a slope generally greater than 18 degrees;

- (b) land in, or within 20 metres of the bed or bank of a designated river, lake, lagoon or swamp;
- (c) land which is environmentally sensitive or liable to be affected by land degradation.

Unless otherwise exempt, the destruction of trees on Protected Land requires an Authority from the Commissioner for Soil Conservation. The Act further specifies allowable management practices within Protected Lands.

Timber harvesting operations on Crown Timber Lands that are not State forests or timber reserves but are Protected Lands must comply with the provisions of the Act including the requirement that trees must not be felled or destroyed on protected lands without the approval of the Department of Land and Water Conservation's (LAWC) Commissioner for Soil Conservation under Section 21 of the Act.

Timber harvesting within State forests and timber reserves

The Protected Land provisions of the Act do not apply to State forests and timber reserves. However State Forests complies with agreed management practices on State forests and timber reserves through the use of environmental protection measures including the application of this Code and the SEMGL 1993.

17. Surveyors Act 1929, Survey Co- ordination Act 1949

(Administered by the Department of Land and Water Conservation)

No unauthorised person may deface or interfere with any survey mark, eg. survey peg, shield tree, trigonometric marker, etc.

18. Threatened Species Conservation Act 1995

(Administered by the **National Parks and Wildlife Service, NPWS**)

Application of the Act to timber harvesting and other forest operations is controlled by the application of Conservation Protocols or Approval Conditions for different groups of threatened animal and plant species. These have been jointly prepared by NPWS and State Forests and are used to assist in the preparation of harvest plans.

Protected and threatened fauna

Protected and threatened fauna are under the control of the State. Almost all native animals, birds and reptiles are protected fauna and may not be taken or killed except pursuant to a licence issued by the NPWS.

Protected and threatened flora

Protected native plants may not be picked or removed except pursuant to a licence issued by State Forests and an authorisation issued by the NPWS. Different conditions apply to threatened species.

19. Timber Industry (Interim Protection) Act 1992

This Act provides interim protection for the employment of workers in the timber industry pending the completion of full environmental assessment of certain timber harvesting operations within Crown Timber Lands (including State forests).

The outcome of environmental impact assessment for specific timber harvesting operations may prescribe **additional** conditions for the conduct of those timber harvesting operations to complement the application of this part of the Forest Practices Code.

20. Traffic Act 1909, Roads Act 1993, Motor Accidents Act 1988, Local Government Act 1993.

(Administered by the Roads and Traffic Authority, and local government)

Registration of vehicles and licensing of drivers

All motorised vehicles operating on State forests and Crown Timber Lands must be registered in accordance with the provisions of the Traffic Act and comply with the provisions set out in the Regulation to the Roads Act 1993. All drivers must hold a current Drivers Licence appropriate to the class of vehicle being driven.

Load limits

All motor vehicles must comply with load limits for vehicles operating on public roads and streets as determined for main roads and highways under the control of the Roads and Traffic Authority and for other public roads under the control of local government.

Permits for unregistered vehicles

Other motorised vehicular timber harvesting plant (where applicable) must be issued with a "Permit to operate an unregistered motor vehicle for logging purposes" issued by the Roads and Traffic Authority. This permit is needed for such machines as crawler tractors, wheeled and tracked feller-bunchers, mobile processors, forwarders, skidders, loading cranes and agricultural tractors modified and used in logging operations.

Third party injury insurance

For the purposes of the Traffic Act and the Motor Accidents Act, all areas within State forests are deemed to be public streets. Hence operators of vehicles and machines on State forests which comply with registration or permit requirements are covered by third party insurance for personal injury.

21. The Workplace Injury Management and Workers Compensation Act 1988

(Administered by WorkCover NSW)

This Act provides for the effective management of work related injuries and compensation in respect of such injuries.

APPENDIX 2 AUSTRALIAN STANDARDS AND OTHER GUIDELINES

Australian Standards

AS 1216 - 1981-84	<i>Classification, Hazard Identification and Information Systems for Dangerous Goods</i>
AS 1841 - 1992	<i>Portable Fire Extinguishers (Parts 1 - 5, Water & powder types and servicing)</i>
AS 1940 - 1993	<i>The Storage and Handling of Flammable and Combustible Liquids</i>
AS 2153 - 1978	<i>Guarding of Agricultural Tractors and Machinery</i>
AS 2294 - 1990	<i>Earthmoving Machinery - Protective Structures</i>
AS 2664 - 1983	<i>Earthmoving machinery – Seatbelts and seatbelt anchorages</i>
AS 2727 - 1984	<i>Chainsaws - Guide to Safe Working Practices</i>
AS 2906 - 1991	<i>Fuel Containers - Portable - Plastics and Metal</i>
AS 3574 - 1988	<i>SAA Forest Safety Code</i>

**Australian Standards are available from Standards Australia
PO BOX 1055 STRATHFIELD NSW 2135
Phone 02 9746 4666 Fax 02 9746 3333**

WorkCover Codes of Practice

WorkCover 1994	<i>Snigging Logs</i>
WorkCover 1995	<i>Safe loading and unloading logs</i>

Other guidelines

Guidelines for Soil Conservation Measures during the Logging of River Red Gum Forests in NSW

Dept of Land and Water Conservation and State Forests of NSW, July 1995

Soil Erosion Mitigation Guidelines for Native Forests of Inland NSW

Dept of Land and Water Conservation and State Forests of NSW, June 1996

Standard Erosion Mitigation Guidelines for Logging in NSW (SEMGL).

Department of Land and Water Conservation 1993

Safety Standards Manual

Issued March 1995

ROPS and FOPS – Canopies fitted to Plant used in the Timber Harvesting Industry

Issued March 1994

APPENDIX 3 COMMON LICENCE CONDITIONS

These conditions are taken from the standard conditions that are attached to a Timber Licence, Contractors Licence or Operators Licence. Most of the conditions are common to all types of licence. Note that the numbering in this list does not correspond to the numbering that may be found in an actual licence copy. Where a condition is not found in a particular type of licence, those licences where it is used are indicated at the end of the condition.

1. In this Licence and these Conditions, "you" and "your" means the person or persons, firm or corporation to whom this licence is issued.
2. Unless otherwise authorised by State Forests, all timber taken under the authority of this licence must be delivered to *. (**Timber and Contractors licences only**)
3. All operations must be performed in a safe and proficient manner and in particular must comply with the provisions of the Occupational Health and Safety Act, 1983 and Timber Industry (Health and Safety) Regulation, 1982.
4. Without affecting the generality of condition 3, you must comply with the provisions of any code of practice prepared for or in relation to the area or part thereof and notified to you.
5. You must carry out all operations in accordance with any harvesting plan prepared for or in relation to the relevant part of the area and notified to you.
6. You must, during the course of the operations authorised under this licence, carry out erosion control work in accordance with the provisions of the Standard Erosion Mitigation Guidelines for Logging in New South Wales, or any Environment Protection Licence to the extent that these provisions are applicable and provided that they have been notified to you.
7. (a) Subject to condition 24 you must fell any tree marked or otherwise specified to be felled and notified to you by an officer or employee of State Forests.
(b) You must not fell any tree marked or otherwise specified not to be felled and notified to you by an officer or employee of State Forests.
8. The brand to be used on timber taken under the authority of this licence is * and, unless otherwise authorised by State Forests, you must ensure that all timber so taken is branded with that brand immediately after it has been felled. (**Timber and contractors licences only**)
9. Unless otherwise authorised by State Forests, you must ensure that each item of timber is marked, so as to identify the part of the area on which it was cut, before it is removed from that part of the area.

10. No timber is to be removed from the part of the area on which it was cut for the purpose of this licence unless the timber has been branded with a State Forests brand or its removal has been otherwise authorised by State Forests.
- 11.A Unless otherwise authorised by State Forests, you must ensure that each item of timber is measured and such measurement is marked on each item before it is removed from the part of the area on which it was cut. (**Timber licence only**)
- 11.B Unless otherwise authorised by State Forests, you must ensure that each item of timber is measured and such measurement is marked on each item before it is removed from the area. (**Contractors and operators licences only**)
12. You must not alter, deface or remove any mark placed on any item of timber for the purposes of this licence, unless otherwise authorised by State Forests.
13. All timber must be felled and otherwise serviced with a minimum of waste to the satisfaction of an officer or employee of State Forests before it is removed from the part of the area on which it was felled.
14.
 - (a) You must not interfere with any person's lawful rights of access to the area or part thereof.
 - (b) You must not fell any tree on, onto or across any road or track (including any table drains or inverts of drainage structures) or any fence or any other improvement or structure unless permitted by an officer or employee of State Forests. Where you do fell any tree with such permission, you must immediately remove the tree from the road, track, fence or other improvement or structure, and immediately repair any damage caused.
 - (c) You must, immediately after use, close all gates opened by you for access to or within the area.
 - (d) You must promptly remove slash and any other debris resulting from the taking of timber under the authority of this licence from any road or track (including any table drains or inverts of drainage structures).
15. You must not cause any damage beyond that reasonably necessary in the opinion of State Forests for the taking of timber under the authority of this licence. You are liable either to repair such damage or pay monetary compensation in addition to any fine payable for a breach of this condition.
16. Without affecting the generality of condition 15, you must take all practicable steps to prevent damage to standing trees.
17. You must dispose of by removal from the area, all personal litter, rubbish or garbage and all used oil, damaged machinery and other like rubbish.
18. Where an officer or employee of State Forests is of the opinion that the taking of timber would be likely to unreasonably damage the area or part thereof or any road or track, he may direct that the taking of timber for the purposes of this licence cease and you must

- comply with that direction until such time as an officer or employee of State Forests directs otherwise.
19. Where this licence authorises the taking of timber from land other than a State forest, timber reserve or flora reserve you must in respect of such operations comply with the provisions of Division 3 of Part 3 of the Forestry Regulation, 1994 (which relates to the control of fire) as if a reference to "area" in that Division was a reference to "Crown Timber Lands" as defined in Section 4 of the Forestry Act, 1916.
 20. Where you have been supplied with delivery docket for completion by you in relation to all logs or other timber to be delivered by you to a sawmill, timber yard or other storage area, you must complete such a delivery docket in relation to each load of any such logs or other timber taken under the authority of this licence before removing the load from the area.
 21. You must retain the duplicate copy of each delivery docket supplied to you for not less than the period of 12 months after the load to which the docket relates was removed from the area.
 22. You must ensure that all motorised vehicles engaged in the haulage of timber used for the purpose of this licence are registered in accordance with the provisions of the Traffic Act, 1909 and comply with the provisions of the regulations made under the State Road Act, 1986 and the Ordinances under the Local Government Act, 1993. Other logging plant (where applicable) must be covered by an Unregistered Vehicles Permit for the Operation of Logging Vehicles issued by the Roads and Traffic Authority.
 23. You must inform State Forests before moving operations from one part of the area to another, and ensure that no operations are commenced on any part of the area without the prior approval of State Forests.
 24. Notwithstanding any condition of this licence or any direction given by any State forest employee or officer:
 - (i) you must, provided you are an accredited chain saw operator, rely on your own skill and judgement in determining whether a tree or other timber is beyond your competency to fell or to cut safely,
 - (ii) you must not fell any tree or cut any timber which, in your opinion, is beyond your level of competency to fell or cut safely.
 25. You must comply with the conditions of the relevant licence issued under Section 120 of the National Parks and Wildlife Act in the same way that State Forests must comply with those conditions.
 26. You must comply with the relevant conditions of the Pollution Control Licence issued by the Environmental Protection Authority to State Forests of NSW in the same way that State Forests must comply with those conditions.
 - 27.A You must ensure that persons employed or otherwise engaged by you to take timber for the purpose of this licence comply with the provisions of this licence. (**Timber and contractors licences only**)

- 27.B You must not breach the provisions of any Timber Licence or Sale Agreement for the purposes of which this licence is held, where those provisions are notified to you. **(Contractors licence only)**
- 27.C You must not breach the provisions of any Timber Licence, Sale Agreement or Contractor's Licence for the purposes of which this licence is held, where those provisions are notified to you. **(Operators licence only)**
28. You must keep the Regional Manager informed at all times during the currency of this licence as to the names and addresses of all persons employed or otherwise engaged in the cutting, obtaining or removing of timber for the purposes of this licence and in particular, promptly notify the Reional Manager if any such person ceases to be so employed or otherwise engaged. **(Timber and contractors licences only)**

29. You must provide, for each of your employees engaged in the operations authorised under this licence, a hearing protector of a type approved by the Chief Inspector of the Department of Industrial Relations and ensure that each of your contractors engaged in such operations, otherwise than as employees, obtain for themselves such an approved hearing protector. **(Timber and contractors licences only)**
30. You must at all times while engaged in the operations authorised under this licence, wear a hearing protector of a type approved by the Chief Inspector of the Department of Industrial Relations, adjusted so that it is serviceable and take all reasonable steps to ensure that it is maintained in a serviceable condition.
31. You must comply with the provisions of any Code of Practice as agreed to by State Forests and you for the purposes of this licence.
32. Where, prior to the issue of this licence, State Forests has required you to lodge a bank guarantee or other form of security to guarantee the payment of royalty in respect of timber to be taken under the authority of this licence, you must, where State Forests so directs by notice in writing during the currency of this licence, lodge such further form of security as State Forests may require within the time specified by State Forests in that notice. **(Timber licence only)**
33. Where so directed by State Forests during the currency of this licence, you must pay to State Forests in respect of timber to be taken under the authority of this licence, royalty in advance of such amount and within such time as State Forests specifies. **(Timber licence only)**
34. You must carry this licence at all times during the course of operations authorised under this licence.
35. State Forests reserves the right to issue other licences for the taking of timber, products or forest materials from the area or part thereof. **(Timber and contractors licences only)**
36. This licence is subject to any rights conferred by the Crown Lands Act 1989 or the Western Lands Act 1901 on the holder of the land or any part of the land and the Crown has the right at any time, without compensation to you, to dispose of the land or any part of the land or to reserve, dedicate or use for any public purpose the land or any part of the land.
37. It is hereby expressly declared that you shall release to the full extent permitted by law and shall indemnify and keep indemnified the Crown and State Forests and their agents, officers and employees from and against all actions, suits, claims and demands of any kind and all costs, charges and expenses in respect of any loss, damage or injury to any person or property arising out of or in any way connected with any activity authorised by this licence, notwithstanding that the conditions of this licence have in all respects been observed by you or that any such loss, damage or injury arises from any act or thing which you may be authorised or compelled to do hereunder, provided, however, that nothing herein shall exclude the Crown or State Forests from liability for any loss, damage or injury due to the negligent act or omission of the Crown or State Forests.

38. Notwithstanding condition 36, the Crown and State Forests are not liable for any loss, damage or injury arising out of or in any way connected with the presence of any foreign object in any timber taken under the authority of this licence.
39. State Forests makes no warranty as to the quantity, kind, class, soundness, quality, dimensions, accessibility or any other like matters pertaining to the timber authorised to be taken under the authority of this licence or as to its suitability for any particular purpose.
40. State Forests may, by giving one months notice in writing served upon you, add conditions or limitations to or vary or revoke any existing conditions or limitations of this licence.
41. This licence is not transferable. (**Operators licence only**)
42. To the extent that the area or part thereof is or may become land affected by profit a prendre under Section 25F of the Forestry Act, 1916 the operation of this licence shall terminate upon the expiration of the profit a prendre or upon the release of the land from the burden of the profit a prendre, without compensation to you. (**Timber licence only**)
43. Attachments to this licence include*:
 - A. SEMGL/SEMGIF/SCMLRRGF..
 - B. Timber Industry Health and Safety Regulations.
 - C. Pollution Control Licence Conditions.
 - D. Forest Practices Code (Part 2)Timber Harvesting in Native Forests

* *delete whichever is inapplicable*

APPENDIX 4 DEFINITIONS

Accreditation

Formal documentary evidence of competence to perform particular work or operate a particular class of vehicle or machine following a form of testing. Common accreditations required are those for;

Chainsaw operators	Issued by State Forests, ELITT and other qualified providers.
Machinery operators	WorkCover certificates and statements of proficiency from employers. Forest Soil and Water Protection Certificate(Operator level)
Vehicle drivers	RTA licences.
Supervisors	Forest Soil and Water Protection(Supervisor level)

Bush supervisor

A Licensed Operator who is nominated by a Principal Licensee or Contractor as responsible for a logging crew.

Contractor

Any person who contracts to one or more Principal Licensees and employs other persons in logging operations.

Crown Timber Lands

Crown Timber Lands in New South Wales are:-

- Lands within a State forest
- Other Crown lands as specified in the Forestry Act, whether held under lease or licence from the Crown which may or may not be included in a Timber Reserve.
- Former Crown land affected by profit à prendre reservation under the Forestry Act

Field supervisor

A person appointed or nominated by a Principal Licensee or Contractor to supervise and control a timber harvesting operation or a number of timber harvesting operations. Generally a field supervisor is not a member of a timber harvesting crew.

Harvest plan

A plan which includes site specific local information and instructions to State Forests staff and Licensees for the conduct of timber harvesting operations for an individual area of State forest or Crown-timber land.

Harvest plan area

The compartment, section or part of a State forest or other Crown-timber land covered by a harvest plan.

Infringement Notice

A Notice which carries a fine for a specified breach of the Forestry Act and Regulation. A Infringement notice may only be issued by a duly authorised officer of State Forests.

Integrated operations

Timber harvesting operations where a Contractor or Operator produces two or more classes of timber or products for one or more Principal Licensees.

Examples include; combined sawlog and pulpwood operations, combined sawlog and pole operations, mining timber and small pole harvesting operations, etc.

Log dump

An area where logs or other forest products are assembled prior to loading on truck.

Logging machinery Any motorised machine or vehicle that is used in timber harvesting operations. Logging machinery includes crawler tractors, wheeled and tracked feller bunchers, mobile log processors, wheeled skidders, front end loaders, mobile loading cranes, modified agricultural tractors, log splitters, mobile swing saws, chain saws, small scale saw benches, post debarkers, log trucks and four wheel drive vehicles modified for timber extraction.

Merchandising contractor

A person or organisation that contracts directly to State Forests to perform timber harvesting operations to supply a number of State Forests' timber industry customers with timber.

Operator

Any person who is licensed to perform work associated with timber harvesting operations on State forests or Crown Timber Lands or the transport of timber or other forest products from the forest to a Principal Licensee's premises.

Operators may include chainsaw operators, tree fallers, tractor drivers, machinery operators, truck drivers, bush and field supervisors, mobile mill and mobile process plant operators, log measurers, etc.

Plan of Operations

A Plan prepared by State Forests which schedules the timber harvesting operations required for a particular Management Area for a given period of time.

Principal Licensee

The holder of a Timber or Products Licence or Sale Agreement.

Regional Manager

The manager appointed by State Forests with overall responsibility for the management and administration of the Region in which the timber harvesting operations are conducted.

Shovel extraction

Log extraction using an excavator or similar machine fitted with log lifting grapple. The machine lifts the logs while remaining stationary to move them progressively from stump to dump utilising walkover techniques for its own movement between log lifts, to minimise soil disturbance.

Snig track

A track along which snigging equipment travels snigging logs. Snigging means the movement of logs, either wholly or partly supported on the ground, from the point of felling to the log dump.

Statutory Bush Fire Danger Period

The period of the year during which restrictions on the lighting and maintenance of fires in the open are enforced through proclamation under the Rural Fires Act. The Bush Fire Danger Period

is normally proclaimed for the period 1st October to 31st March the following year but may be varied by local government authorities to meet specific seasonal requirements in any particular year.

Supervising Forest Officer

A State Forests employee who holds an authority issued by State Forests to supervise logging operations.

APPENDIX 5

STATE FORESTS OF NSW ENVIRONMENT POLICY STATEMENT

State Forests NSW is committed to sustainable forest management while supplying products and services to meet customer expectations and achieve a commercial return. We will manage all our activities in an environmental, socially and economically responsible manner so as to meet public expectations for maintenance of timber, biodiversity, water, soil, cultural, and other values. We are continually seeking improvements in our environmental performance. To meet our policy, State Forests NSW will:

- ◆ communicate and consult effectively and constructively with the community, regulators and customers and develop partnerships for cooperative forest management at the strategic level
- ◆ protect and maintain healthy and productive forests to provide enhanced community benefits in perpetuity
- ◆ conserve biodiversity, heritage and cultural values in our native forests
- ◆ adopt environmentally sensitive land management practices for commercial plantations
- ◆ ensure all relevant legislative and regulatory requirements are met
- ◆ ensure that management strategies and operational procedures, including Codes of Practice, facilitate the recognition, mitigation and monitoring of the impact of our activities on the environment
- ◆ motivate and educate our employees and all those associated with State Forests NSW to fulfil our environmental responsibilities
- ◆ encourage and assist our suppliers, contractors and other forest users to comply with our environmental standards
- ◆ identify and, where appropriate, adopt best practice in sustainable forest management
- ◆ be a progressive, adaptive organisation through active research and responding to changing scientific knowledge, public expectations and economic conditions
- ◆ develop and implement efficient energy use and waste management measures in all our activities
- ◆ develop an environmental management system incorporating an audit program, to internationally accepted standards.