|  |
| --- |
| Forest Audit Program 2016/17    Environmental Compliance Response |

Each year, the Department of Environment, Land, Water and Planning (DELWP) commissions an independent environmental audit to assess compliance of VicForests’ timber harvesting operations with the *Code of Practice for Timber Production 2014* (the Code) and the incorporated *Management Standards and Procedures for Timber Harvesting Operations in Victoria’s State Forests 2014* (MSPs). In 2015, DELWP introduced its *Timber Harvesting on Public Land Risk-Based Compliance Strategy (April 2015)* to focus DELWP’s environmental compliance and enforcement efforts on areas where the relative risks to the environment associated with non-compliance are greatest.

Three audit themes were identified by DELWP for the 2016/17 Forest Audit Program:

1. Protection of soil. Water and biodiversity values from adverse impacts associated with harvesting and in-coupe roading;
2. Design construction, maintenance and closure of in-coupe roads, and
3. Forest regeneration.

An independent environmental audit was commissioned and identified a number of issues and made recommendations for improvement to both VicForests and DELWP. The following six recommendations were provided to DELWP. These highlight potential improvements to the regulatory framework for timber harvesting conducted on public land. DELWP’s response to these recommendations is provided below.

For further information please visit our [DELWP website](https://www2.delwp.vic.gov.au/) or contact us on 136 186.

| **Auditor’s recommendation** | **Rationale** | **DELWP’s response** |
| --- | --- | --- |
| **D1: High priority**  DELWP should revise the wording of the Management Standards and Procedures and their Planning Standards to provide consistent, unambiguous guidance on the requirements for providing unharvested buffers around rainforest stands equal to or larger than 0.4 ha in area, including those associated with rainforest sites of significance. | Ambiguity in the wording of MSP 4.4.9 mean that it is unclear as to what, if any, buffers are required to be provided for rainforest stands ≥0.4 ha within Central Highlands FMA. | DELWP acknowledges the need to for a thorough review of the Code to clarify intent, reduce ambiguity and provide a more objective basis for the audit.  DELWP will be work with VicForests to develop an agreed rationale and interpretation of this clause specific clause. |
| **D3:** **High priority**  DELWP should develop a process for reviewing and acting on key findings and recommendations from each years’ forest audit program. | The FAP is a potentially important process in achieving continuous improvement in timber harvesting activities in  State forests. The lack of a formal process for responding and acting upon findings and recommendations diminishes  its value. | DELWP has met with VicForests to address past audit recommendations and develop an agreed process for monitoring and reporting on the implementations of future audits recommendations.  DELWP will continue meet with VicForests on a regular basis to address issues and share information regarding the Forest Audit Program. |
| **D2:** **Moderate priority**  DELWP should develop a science basis for prescribing the provision of fish passage at waterway crossings and implement this in the next revision of the regulatory framework for timber  harvesting. | The current requirement to provide a fish ladder for permanent stream culverts > 750 mm in diameter does not appear to account for the requirement to provide fish passage for smaller culverts nor the opportunities to provide fish passage without a fish ladder in larger culverts. The science basis of this compliance element should be reviewed to ensure that fish ladders or other fish passage devises are used in appropriate circumstances. | DELWP acknowledges that the current prescriptions may potentially lead to unwarranted non-compliances with the regulatory framework that pose no material risk to the environment, but fail to meet the specific requirements of aquatic species.  DELWP is considering commissioning a special project to review the regulatory requirements to provide for fish passage at waterway crossings. |
| **D4:** **Moderate priority**  DELWP should adopt the revised EIA tool developed for this years’ audit program. | The revised EIA tool allows more consistent and repeatable assessments of potential environmental impacts associated with road drainage, waterway crossings and some incursions into unharvested buffer areas. It focusses on the sensitivity of locations to environmental impacts, even if the actual impact is low. | DELWP agrees with this recommendation and has adopted the revised EIA tool developed for the upcoming 2017/18 Forest Audit Program. |
| **D5:** **Moderate priority**  DELWP and VicForests should gather information on actual coupe attributes to support audit coupe selection rather than information from the coupe planning stage. | Use of planning stage information means that audit targets may not have the values or risk factors for which they were selected. This potentially dilutes the value of the audit. | DELWP disagrees with this recommendation.  The presentation of VicForests coupe data does not allow this type of enquiry to be easily made. Instead DELWP will work with VicForests to identify a number of contingency coupes that may be considered following a more detailed interrogation of the initial randomised sampling of data. |
| **D6:** **Moderate priority**  DELWP should maintain a register of coupes included in the FAP. | A register will help to avoid inadvertent re-auditing of coupes and also provide a basis for longitudinal studies assessing the environmental impacts of non-compliances with the regulatory framework. | DELWP agrees with this recommendation and has prepared a register of coupes for the past three years FAP as part of a move to systemically assessing and tracking trends and improvements. |