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| Forest Audit Program |
| The Conservation Regulator’s Response to 2018/19 Recommendations Timber Harvesting Compliance Unit |

Each year, the Office of the Conservation Regulator (Conservation Regulator) commissions an independent environmental audit, known as the Forest Audit Program, to assess the compliance of VicForests’ timber harvesting operations against 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 (MSP). These audits are conducted under section 47 of the *Sustainable Forests (Timber) Act 2004*, where the Minister (for Energy, Environment and Climate Change) may ask an appropriately qualified person to audit the compliance of timber harvesting operations on public land with any relevant code of practice relating to timber harvesting. The Forest Audit Program (FAP) is an integral tool for ensuring continuous improvement of both on-ground timber harvesting practices and the systems, processes and regulatory instruments which govern it. Such a process is integral for minimising the future risk of environmental harm.

The FAP is a risk-based, intelligence-lead program, with the selection of forestry coupes stratified upon the presence of important environmental values and high-risk features or activities (including steep slopes, erosive soils, waterway crossings and significant soil disturbance) within Victoria’s State forests.

The 2018/2019 FAP focused on five important compliance themes:

* Environmental Compliance
* Roading Compliance
* Infrastructure Compliance
* Coupe Planning Compliance
* Forest Regeneration Compliance

The 2018/19 audit made recommendations for improvement to both VicForests and DELWP. Three recommendations were provided to the Conservation Regulator, which highlight potential improvements to the regulatory framework for timber harvesting and opportunities to collaborate with VicForests to ensure improved environmental outcomes. The Conservation Regulator’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.

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| **Auditor’s** **Recommendation** | **Rationale** | **DELWP’s response** |
| **D-01:** That DELWP engage with VicForests to monitor and evaluate implementation of new in-coupe road planning, design, and construction procedures to ensure they lead to improved regulatory compliance and environmental performance. | VicForests report having recently developed new procedures and guidance for the planning, design, and construction of in-coupe roads, (at least) partly in response to related recommendations from previous audits. This recommendation is introduced to provide DELWP and VicForests with earlier evidence of their effectiveness in improving regulatory compliance and reducing environmental impacts associated with in-coupe roads and associated waterway crossings than would reliance on FAP audits. | Roading operations have been an enduring focus of the Forest Audit Program and an area where non-conformance has been observed historically. The Conservation Regulator will increase its compliance focus on roading, both in future audits and incorporating it in our prioritisation for the Coupe Inspection Program; the Conservation Regulator’s proactive approach to inspecting VicForests’ conduct across various stages of their harvesting operations.  **Completion Date:** Ongoing - Roading compliance is a key feature in the 2019/20 Coupe Inspection Program. The intension is to retain roading compliance as a focus of compliance activities until a change is observed in coupe practices. |
| **D-02:** DELWP should revise Code and MSP prescriptions in relation to pests, weeds, and diseases to provide improved rigour and transparency in biosecurity risk management practices. Consideration should be given to mandatory washdown of harvesting and road construction machinery being moved onto a coupe, assessment of quarry disease and weed status and reporting of these in Forest Coupe Plans. | The Code and MSPs are considered by the auditors to take a relatively passive approach to the identification and management of biosecurity risks to forests in which roading and timber harvesting occur. The recommendations propose a more active approach to the management of this risk and, in part, is consistent with existing VicForests practice | Pests, weeds, and pathogens can cause significant environmental impacts. The Conservation Regulator is committed to ensuring that the framework governing timber harvesting properly manages biosecurity risks to forest values.  The Victorian Government has committed to modernising the management of Victoria’s Forests. Victoria’s modernised Regional Forest Agreements contain a number of new commitments to improve environmental and biodiversity outcomes, including a requirement to complete a comprehensive review of the Code of Practice for Timber Production 2014 by December 2023.  **Completion Date:** DELWP will lead a comprehensive review of the Code of Practice for Timber Production 2014 which will conclude by December 2023. Audit recommendations will be considered as part of this review. |
| **D-03:** In its next revision of the MSPs, DELWP should develop and include a table that specifies appropriate maximum drainage structure spacings for snig and boundary tracks. | The MSPs currently only specify maximum drain spacings for roads. Those specifications are not appropriate for snig and boundary tracks, whose slopes may significantly exceed the upper limits for roads. As a result, there is currently no appropriate regulatory basis for assessing drain spacings on snig and boundary tracks. | In the absence of mandated drainage structure spacings for snig track and boundary tracks in the Code of Practice for Timber Production 2014, VicForests rely on specifications from their own internal Utilisation Procedures to inform their operations. The Conservation Regulator recognises this as a current gap in regulations and will ensure that clear direction is considered for addition during the comprehensive review of the Code of Practice for Timber Production 2014.  **Completion Date:** DELWP will lead a comprehensive review of the Code of Practice for Timber Production 2014 which will conclude by December 2023. Audit recommendations will be considered as part of this review. |