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10 March 2022

Your reference: DOC22/63984-1

Our reference:

Dr Winston Wickremeratne  
Head Environmental Audit  
NSW Environment Protection Authority  
[Winston.Wickremeratne@epa.nsw.gov.au](mailto:Winston.Wickremeratne@epa.nsw.gov.au)

Dear Dr Wickremeratne

**Audit of Compliance with Coastal Integrated Forestry Operations Approval –  
Protocol 1 Registers**

I refer to your letter dated 3 February 2022, providing opportunity for Forestry Corporation of NSW (Forestry Corporation) to comment on the EPA's draft Compliance Audit Report – Coastal IFOA Protocol 1 Registers (Draft Report).

I thank the EPA for the opportunity to comment on the Draft Report, and note the comprehensive examination of compliance with Protocol 1 of the Coastal Integrated Forestry Operations Approval (Coastal IFOA). Forestry Corporation remains committed to achieving the outcomes in the outcomes statement for Chapter 2 of the Coastal IFOA: *Transparent, accurate and comprehensive information and records of a forestry operation (and matters covered by the approval) are maintained and accessible.*

I note (on page 4) that the report comments on the 'changes in access to the registers' in that Forestry Corporation provides access to a compliance layer through a web services portal. I clarify that the compliance layer is not a substitute for the compliance register, but a working dataset that is used by Forestry Corporation to populate the register. Forestry Corporation is concerned that the audit of the compliance register was not based on the actual register (which is provided to the EPA and/or the public upon request), but on the compliance layer, and a redacted version that is produced annually for public scrutiny. I suggest that this assessment either be excised from the scope of the audit, or redone using the actual compliance register. I note that early consultation regarding the audit would have enabled assessment of the correct register.

Please find attached tables responding to each of the 16 draft non-compliances found in Table 2 of the Draft Report, and each comment in Appendices 1-3 of the Draft Report.

In relation to matters where Forestry Corporation and the EPA have interpreted the Coastal IFOA conditions and protocols differently (Appendix 1), I welcome the opportunity to discuss an outcome that achieves the relevant Outcome Statement. This includes our interpretation of the term 'publicly available' which Forestry Corporation has interpreted as meaning that the record or data is released to the public upon request.

Several of the requirements of the operations register are difficult to achieve using modern data management practices. In 2019, Forestry Corporation consulted with the EPA regarding these requirements and agreed that the information could be presented in an alternative format. Forestry Corporation requests that the audit findings be reviewed in the light of these prior agreements. An email documenting the agreement is attached as Attachment 1.

I acknowledge that the use of negative numbers in the register, while necessary to enable both Forestry Corporation and EPA downstream functions, may fail to meet the objectives of a publically available register. Forestry Corporation's spatial data team have rectified this issue in collaboration with the EPA's spatial data team, ensuring that downstream functions were not interrupted.

Forestry Corporation acknowledges omissions in the registers on the day that they were accessed for the audit. We are in the process of correcting these omissions and have implemented a new system that will prevent plans from being approved unless all required data fields have been updated.

Please call me on 0427 890 030 if you would like any further information or clarification regarding Forestry Corporation's comments on the audit.

Regards



**LINDA BROEKMAN**  
**Senior Compliance Manager**  
**Governance and Assurance**

Response to non-compliances recorded in Table 2 Assessment of compliance with CIFOA Protocol 1: Registers

Requirement	Compliance assessment	Comment	Action Required	Draft Response from FCNSW
<b>1.2 Operations register</b>				
(1) (a) – (d)	Non-compliance	<p>FCNSW must keep a register of any of the following forestry operations which FCNSW plans to commence, has commenced, or has completed:</p> <p>(a) harvesting operations;                      (b) road construction;                      (c) road upgrading;                      (d) road maintenance.</p> <p><i>FCNSW are not complying with all the requirements of 1.2 for elements (a), (b), (c), and (d). FCNSW have combined forestry operations for (a), (b), (c), and (d) into Harvest Plan, Roading Plan and Harvest / Roading Plan.</i></p> <p>FCNSW must include a separate entry for each element of condition (1) (a), (b), (c), and (d).</p>	<p>Action 1</p> <p>FCNSW must keep a register of any of the following forestry operations which FCNSW plans to commence, has commenced, or has completed:</p> <p>(a) harvesting operations;                      (b) road construction;                      (c) road upgrading;                      (d) road maintenance;                      (e) pre-harvest burns;                      (f) post-harvest burns; and                      (g) regeneration activities.</p>	<p>See note about the definition of ‘forestry operation’ in Appendix 1 of the Report.</p> <p>We note that while technically possible, separating the elements of a roading operation into three (or more) plans that capture separate tasks that meets the definition of road construction, road upgrade and/or road maintenance would fail to achieve the objectives of the Coastal IFOA as the plans would be unable to provide effective instruction to the authorised person undertaking the whole operation.</p>
(c)	No	<p>The operations register must include the following information for each relevant forestry operation:</p> <p>(c) Coastal IFOA Subregion.</p> <p><i>FCNSW are not complying with condition 1.2 (2) (c). A Coastal IFOA Subregion is not listed for 4 of the 107 forestry operations.</i></p> <ul style="list-style-type: none"> <li>• <i>HPRP_TALLAGANDA_2451A_2021</i></li> <li>• <i>RP_TAMBAN_012_13_2021</i></li> <li>• <i>RP_TUGGOLO_22_23_2021</i></li> <li>• <i>RP_BULGA_60_61_64_66_2021.</i></li> </ul>	<p>Action 2</p> <p>FCNSW must include the Coastal IFOA Subregion for each relevant forestry operation in the operations register.</p>	<p>Noted. This is an oversight and will be corrected.</p>
(f) (ii)	No	<p>(f) (ii) any dates on which the forestry operation temporarily ceased and recommenced.</p> <p><i>FCNSW are not complying with condition 1.2 (2) (f) (ii). The register has a status field that includes approved, active, suspended, and completed; and a field for the date when forestry operations are suspended. However, it does not have a field for a forestry operation that has temporarily ceased has recommenced.</i></p>	<p>Action 3</p> <p>FCNSW must include any dates when a forestry operation recommenced (after being temporarily ceased).</p>	<p>It is not possible to display this data sensibly in a tabular format as there may be an unlimited number of cessations and recommencements associated with a single forestry operation. This information is provided in the status log in the Plan Portal via the link in the Operations Register, as was agreed with the EPA in June 2019.</p>
(g)	No	<p>(g) for a harvesting operation or regeneration activity, the year of commencement of the previous harvesting operation or regeneration activity in the operational area.</p> <p>FCNSW are not complying with condition 1.2 (2) (g). The operations register does not have a field for the year of commencement of the previous harvesting operation or regeneration activity.</p> <p><i>The EPA notes that the link for the operational plan on operations register redirects to the plan portal on the FCNSW website and that the year of the last harvest or regeneration activity is included here.</i></p>	<p>Action 4</p> <p>FCNSW must update the operations register to include the year of commencement of the previous harvesting operation or regeneration activity in the operational area, as required by the Protocol.</p>	<p>It is not possible to display this data sensibly in a tabular format as there may be many subunits within the harvesting unit, each with a previous harvesting operation or regeneration activity date. This information is provided in the Plan Portal via link within the Operations Register, as was agreed with the EPA in June 2019.</p>
(h)	No	<p>(h) the intensity of any harvesting operation (selective harvesting, intensive harvesting, alternate coupe logging and mixed intensity harvesting), including the estimated average basal area the stand will be reduced to.</p> <p>FCNSW are not complying with all requirements of this condition.</p> <p>FCNSW comply with the first part of this condition as the operations register has a field for the harvesting operation, which includes – selective harvesting, mixed intensity</p>	<p>Action 5</p> <p>FCNSW must include the estimated average basal area that the stand will be reduced to for any harvesting operation.</p>	<p>Forestry Corporation acknowledges that all harvesting operations should include an estimated post harvest average basal area in the operations register. Values of -1 or 0 are not acceptable. These are an oversight and are being corrected.</p>

Requirement	Compliance assessment	Comment	Action Required	Draft Response from FCNSW
		harvesting, and alternate coupe logging and all of the harvesting operations has an option of High, Medium or Low selected. FCNSW do not comply with the requirement to include an estimated post average basal area for any harvesting operation. The data has inaccuracies, there are 70 harvesting operations listed on the operations register as selective harvesting, mixed intensity harvesting, and alternate coupe logging, of these, 23 have an estimated post average basal area reduced to 0 or -1.		
(i)	No	(i) the inherent hazard level. <i>FCNSW are not complying with condition 1.2 (2) (i). The register has a field for the inherent hazard level, however, contains incorrect data and the IHL does not apply to roading operations.</i> <i>The inherent hazard level (IHL) is crucial for determining the hazard risk for soil erosion and water pollution for harvesting (forestry operations).</i> <i>The IHL is categorised level 1 – Low soil erosion and water pollution hazard, level 2 - High soil erosion and water pollution hazard, Level 3 - Very high soil erosion and water pollution hazard, and level 4 - Extreme soil erosion and water pollution hazard – harvesting operations prohibited for this proposed method of timber harvesting and extraction.</i> <i>The operations register IHL field has a response for all 107 forestry operations, including roading, represented as -1, 0, 1, 2, with 8 forestry operations assigned a IHL -1, 1 forestry operations assigned a IHL 0, 28 forestry operations assigned a IHL 1, and 70 forestry operations assigned a IHL 2.</i>	Action 6 FCNSW must include an accurate inherent hazard level for each relevant forestry operation, as required by the condition 1.2 (2) (i).	It is not possible to record text such as 'not applicable' or 'not yet assessed' within a numerical field without interrupting the mathematical functions using the data. This includes EPA functions.  -1 is used to represent 'not assessed'. This is the default value. -2 is used to represent 'not applicable'. In the case of roading events, -2 is the correct value as the IHL does not apply.  0 and -1 should not appear in this field. Operations assigned a IHL 0 or -1 are noted and are being corrected.  Forestry Corporation acknowledges that the use of negative numbers to represent text may fail to meet the objectives of a publically available register and has implemented a fix.
(j)	No	(j) the total length of all new roads to be constructed. FCNSW are not complying with condition 1.2 (2) (j). The operations register has a field titled New_Road_Constructed_Total_Length. However, this field contains incorrect data. Every forestry operation has an assigned number in this field, including: <ul style="list-style-type: none"> <li>• 11 assigned a number of -2 and -1 km</li> <li>• 74 assigned 0 km (of which 44 are roading plans or harvest / roading plans).</li> <li>• 22 have greater than 0 km (6 of which are harvest plans).</li> </ul>	Action 7 FCNSW must include an accurate total length of all new roads to be constructed for each relevant forestry operation, as required by the condition 1.2 (2) (j).	It is not possible to record text such as 'not applicable' or 'not yet assessed' within a numerical field without interrupting the mathematical functions using the data. This includes EPA functions.  -1 is used to represent 'not yet assessed'. This is the default value. -2 is used to represent 'not applicable'. In the case of road length, this value is appropriate for harvesting operations.  Forestry Corporation rarely constructs new roads as the forest estate is substantially accessible. 0 is appropriate if no new road is to be constructed.  Forestry Corporation acknowledges that the use of negative numbers to represent text may fail to meet the objectives of a publically available register and has implemented a fix.
(k)	No	(k) the length of new roads to be constructed with a grade greater than 10 degrees. <i>FCNSW are not complying with condition 1.2 (2) (k). The operations register has a field titled New_Road_Constructed_Over_10_De. However, this field contains incorrect data.</i> <i>Every forestry operation has an assigned number in this field, including:</i> <i>10 assigned a number of -2 and -1 new km road length</i> <ul style="list-style-type: none"> <li>• 95 assigned 0km new road (of which 59 are roading or harvest / roading plans)</li> <li>• 2 have a greater than 0 new km road length.</li> </ul>	Action 8 FCNSW must include an accurate total length of all new roads to be constructed with a grade greater than 10 degrees for each relevant forestry operation, as required by the condition 1.2 (2) (k).	It is not possible to record text such as 'not applicable' or 'not yet assessed' within a numerical field without interrupting the mathematical functions using the data. This includes EPA functions.  -1 is used to represent 'not yet assessed'. This is the default value.

Requirement	Compliance assessment	Comment	Action Required	Draft Response from FCNSW
				<p>-2 is used to represent 'not applicable'. In the case of road length, this value is appropriate for harvesting operations.</p> <p>Forestry Corporation rarely constructs new roads with a grade greater than 10 degrees. 0 is appropriate if no new road over 10 degrees is to be constructed.</p> <p>Forestry Corporation acknowledges that the use of negative numbers to represent text may fail to meet the objectives of a publically available register and has implemented a fix.</p>
(l)	No	<p>(l) the length of new roads to be constructed on ground slopes greater than 30 degrees FCNSW are not complying with condition 1.2 (2) (l). The operations register has a field titled <i>New_Road_Constructed_Over_30_De</i>. However, this field contains incorrect data. Every forestry operation has an assigned number in this field, including:</p> <ul style="list-style-type: none"> <li>• 10 assigned a number of -2 and -1 new km road length</li> <li>• the other 97 assigned 0 value for no new km road length.</li> </ul>	<p>Action 9 FCNSW must include an accurate total length of all new roads to be constructed on ground slopes greater than 30 degrees for each relevant forestry operation, as required by the condition 1.2 (2) (l).</p>	<p>It is not possible to record text such as 'not applicable' or 'not yet assessed' within a numerical field without interrupting the mathematical functions using the data. This includes EPA functions.</p> <p>-1 is used to represent 'not yet assessed'. This is the default value.</p> <p>-2 is used to represent 'not applicable'. In the case of road length, this value is appropriate for harvesting operations.</p> <p>Forestry Corporation rarely constructs new roads on slopes greater than 30 degrees. 0 is appropriate if no new road is to be constructed on ground over 30 degrees.</p> <p>Forestry Corporation acknowledges that the use of negative numbers to represent text may fail to meet the objectives of a publically available register and has implemented a fix.</p>
(m)	No	<p>(m) the number of new drainage feature crossings to be constructed. FCNSW are not complying with condition 1.2 (2) (m). The operations register has a field titled <i>New_Drainage_Feature_Crossings</i>. However, this field contains incorrect data. Every forestry operation has an assigned number in this field, including:</p> <ul style="list-style-type: none"> <li>• 9 assigned a number of -1</li> <li>• 2 assigned positive values</li> <li>• 96 assigned as 0</li> </ul>	<p>Action 10 FCNSW must include an accurate number of new drainage feature crossings to be constructed for each relevant forestry operation, as required by the condition 1.2 (2) (m).</p>	<p>It is not possible to record text such as 'not applicable' or 'not yet assessed' within a numerical field without interrupting the mathematical functions using the data. This includes EPA functions.</p> <p>-1 is used to represent 'not yet assessed'. This is the default value.</p> <p>Forestry Corporation rarely constructs new drainage feature crossings. 0 is appropriate if no new drainage feature crossings are to be constructed.</p> <p>Forestry Corporation acknowledges that the use of negative numbers to represent text may fail to meet the objectives of a publically available register and has implemented a fix.</p>
(n)	No	<p>(n) the number of existing drainage feature crossings in the operational area. FCNSW are not complying with condition 1.2 (2) (n). The operations register has a field titled <i>Existing_Draining_Feature_Cross</i>. However, the field contains incorrect data. Every forestry operation has an assigned number in this field, including:</p> <ul style="list-style-type: none"> <li>• 8 assigned a number of -1</li> </ul>	<p>Action 11 FCNSW must include an accurate number of existing drainage feature crossings in the operational area for each relevant forestry operation, as required by the condition 1.2 (2) (n).</p>	<p>It is not possible to record text such as 'not applicable' or 'not yet assessed' within a numerical field without interrupting the mathematical functions using the data. This includes EPA functions.</p>

Requirement	Compliance assessment	Comment	Action Required	Draft Response from FCNSW
		<ul style="list-style-type: none"> <li>• 33 assigned 0 existing drainage feature crossings</li> <li>• 66 assigned positive values</li> </ul>		<p>-1 is used to represent 'not yet assessed'. This is the default value.</p> <p>Forestry Corporation acknowledges that the use of negative numbers to represent text may fail to meet the objectives of a publically available register and has implemented a fix.</p>
(6)	No	<p>FCNSW must update the operations register as necessary by the first business day of each calendar month and provide the EPA with full access to the operations register on that date.</p> <p>FCNSW are not complying with all the requirements condition 1.2 (6). The condition requires that FCNSW update the operations register, as necessary, by the first business day of each calendar month.</p> <p>For the purposes of this audit assessment, as necessary means when any deeming clause is activated, such as a status change to the forestry operations. There are 28 forestry operations with the status completed but only 25 forestry operations with a completed date. The 3 forestry operations without a completed date are tagged as completed on their plan details page.</p> <p>1. HP_BROKEN_BAGO_3_5B_2020 has been tagged as completed in the plan details page of the FCNSW website on 25 August 2021 (Completed Wed Aug 25 2021 14:54:42 GMT+1000 (Australian Eastern Standard Time)).</p> <p>2. HP_BROKEN_BAGO_1_BURRAWAN_9_2021 has been tagged as completed in the plan details page of the FCNSW website on 8 March 2021 (Mon Mar 08 2021 11:37:38 GMT+1100 (Australian Eastern Daylight Time)).</p> <p>3. HP_CAIRNCROSS_12_13_14_15_17_18_19_2020 has been tagged as completed in the plan details page of the FCNSW website on 20 April 2021 (Tue Apr 20 2021 16:27:43 GMT+1000 (Australian Eastern Standard Time)).</p> <p>FCNSW have not updated the operations register as necessary by the first business day in the calendar month of September 2021 (Wednesday 1 September 2021).</p>	<p>Action 12</p> <p>FCNSW must update the operations register necessary by the first business day in the calendar month as is required by this condition 1.2 (6).</p>	<p>We note that the CIFOA defines completion as the date that is entered into the Operations Register. By definition, Forestry Corporation cannot fail to comply with the requirement to update the operations register when an operation is complete.</p>
<b>1.3 Compliance Register</b>				
(1) e)	No	<p>(e) name of person who caused the non-compliance; FCNSW are not complying with this element of condition 1.3 (1).</p> <p>The compliance register The compliance register does not include the name of the person who caused the non-compliance. FCNSW must enter the name of the person who caused the non-compliance into the compliance register within 14 days of it becoming aware of a non-compliance with the conditions of the approval.</p> <p>The compliance layer The compliance layer includes a field for the name of the person who caused the incident. however, 30 (27%) of 113 incidents in the compliance layer have no person causing the non-compliance listed.</p>	<p>Action 13</p> <p>FCNSW must include the name of the person who caused the non-compliance in the compliance register.</p>	<p>As acknowledged in the Report, the audit has been conducted on the part of the compliance register that is made available to the public annually on our website, rather than the current compliance register (which is available to all parties at any time upon request). Forestry Corporation is not able to publicise the name of the person who cause the non-compliance due to privacy legislation.</p> <p>The name of the person who caused the non-compliance is recorded on the current compliance register. This is evident in the register that has been provided to the EPA when previously requested.</p>

**Response to Appendix 1 Inconsistent interpretation of the protocol requirements**

Requirements	Auditor Comments	Proposed Actions	Draft Response by Forestry Corporation
1.2 (1) (a) - (g)	<p>Interpretation of forestry operations</p> <p>For the purposes of this audit this requirement means a separate entry for each forestry operation listed (a)-(g). This is how EPA officers have interpreted the requirement. This does not seem to be the way FCNSW interpret forestry operations. They combine roading, and roading with harvesting for the purposes of this requirement.</p> <p>There are three slightly different definitions of forestry operations within forestry regulation, the Forestry Act 2012, the Coastal IFOA conditions and the Coastal IFOA protocol.</p>	<p>The EPA will work together with FCNSW to define what is required under this requirement to comply with the Protocol.</p>	<p>Protocol 39 defines 'forestry operations' as those listed in Condition 13, of which one is 'roading' (13.1(c)). FCNSW agrees to work together with the EPA to define what is required under this requirement to comply with Protocol 1.2(1).</p>
1.2 (6)	<p>FCNSW have not updated the operations register on the 1st business day of September 2021 for all forestry operations.</p>	<p>FCNSW must update the operations register necessary by the first business day in the calendar month.</p>	<p>Forestry Corporation does not agree that it has failed to update the operations register. The operations register is updated and made available to the EPA continuously. See also comments in response to Action 12. Nevertheless, a monthly version will be provided in the appropriate dropbox from April 2022 onward.</p>
1.3 (1)	<p>Interpretation become aware of a non-compliance.</p> <p>The condition is ambiguous as to the meaning of 'aware' of a 'non-compliance' with the Coastal IFOA. The condition allows for alternative interpretations. FCNSW are notified or incidents that may or may not be non-compliance upon review (see detailed assessment in appendix 1).</p>	<p>The EPA will work together with FCNSW to define a working definition for when FCNSW become aware of a non-compliance.</p>	<p>Forestry Corporation is willing to discuss this interpretation, but note that we may have no disagreement. As acknowledged in the Report, the audit has been conducted on the part of the compliance register that is made available to the public annually on our website, rather than the current compliance register (which is available to all parties at any time upon request). The current compliance register is available to the EPA upon request, as required by Protocol 1.4(2).</p>
1.4 (1)	<p>The complaints register includes a column for location description, the Protocol requires precise location of the alleged breach, harm to the environment or reportable harm</p>	<p>FCNSW to use the same terminology as the Protocol.</p>	<p>Noted. Forestry Corporation will update the column header to reflect the wording of the Protocol. We note that very few (if any) complaints contain a precise location as complaints tend to refer to particular forestry operations.</p>

**Response to Appendix 2 Incomplete information or missing requirements**

Requirements	Auditor Comments	Proposed Actions	Draft Response by Forestry Corporation
1.2 (1)	78 Forestry operations in the planning stage are not entered into the operations register.	FCNSW to include forestry operations in planning into the operations register.	Protocol 1.2(1) requires that Forestry Corporation include forestry operations 'which FCNSW plans to commence'. Forestry Corporation routinely undertakes planning activities for operations solely for the purpose of shortening the lead time if/when that operation was to be scheduled. Including these operations in the Operations Register would mislead the public in regard to our intentions. Only those operations that have an approved plan, signalling that we expect to commence in the foreseeable future are included in the operations register.
1.2 (2)	The operations register is missing some or all information, including: <ul style="list-style-type: none"> <li>• coastal subregion</li> <li>• the actual date of commencement of forestry operations</li> <li>• the date that forestry operations temporarily ceased recommenced</li> <li>• the year of previous harvesting or regeneration activities</li> <li>• completed date.</li> </ul>	FCNSW to keep and maintain the operations register as required.	<p>Coastal subregion: The four omissions are noted, and Forestry Corporation will correct.</p> <p>Actual date of commencement: while not required by Protocol 1.2(f)(i), Forestry Corporation endeavours to provide the actual date of commencement.</p> <p>Date temporarily ceased operations recommence: It is not possible to display this data sensibly in a tabular format as there may be an unlimited number of cessations and recommencements associated with a single forestry operation. This information is provided in the Status History in the Plan Portal via the link in the Operations Register, as was agreed with the EPA in June 2019.</p> <p>Year of previous harvesting: It is not possible to display this data sensibly in a tabular format as there may be many previous activities associated with the area of a single forestry operation. This information is provided via the link in the Operations Register, as was agreed with the EPA in June 2019.</p> <p>Completed date: The omissions are noted, and Forestry Corporation is working to correct.</p>
1.3 (1)	The compliance register is dated for the period 16 November 2019 to 16 November 2020.	FCNSW to update the compliance register and upload it to the plan portal.	As acknowledged in the Report, the audit has been conducted on the part of the compliance register that is made available to the public annually on our website, rather than the current compliance register (which is available to all parties at any time upon request). There is no requirement, nor has Forestry Corporation committed, to provide a live version of the compliance register to the EPA.
1.3 (1) (a) – (k)	The compliance register is missing requirements or incomplete information, including: <ul style="list-style-type: none"> <li>• name of the person who caused the non-compliance</li> <li>• nature of non-compliance (detail).</li> </ul>	FCNSW to update the compliance register to include all information required by condition 1.3 (1) (a) – (k).	<p>As acknowledged in the Report, the audit has been conducted on the part of the compliance register that is made available to the public annually on our website, rather than the current compliance register. Forestry Corporation is not able to publicise the name of the person who cause the non-compliance due to privacy legislation.</p> <p>The name of the person who caused the non-compliance is recorded on the current compliance register. The nature of the non-compliance is recorded as 'harvesting'. Given that the specific approval condition not complied with is also provided, Forestry Corporation consider this sufficient detail to describe the non-compliance.</p>
1.3 (1) (a) – (k)	The compliance layer made available to EPA by FCNSW does not include all requirements (a) – (k). Presently missing requirements or incomplete information, including: <ul style="list-style-type: none"> <li>• approval condition not complied with</li> <li>• date and time</li> <li>• notification date</li> <li>• exact location</li> <li>• name of the person who caused the non-compliance</li> <li>• nature of non-compliance</li> <li>• cause of non-compliance</li> <li>• mitigate impacts of non-compliance</li> </ul>	FCNSW to update the compliance layer to include input fields for all information required by condition 1.3 (1) (a) – (k). FCNSW to add the required information for all incidents into the compliance layer.	The Coastal IFOA does not require Forestry Corporation to make the compliance layer available to the EPA (except under statutory notice) or even to create such a layer. Further, there is no requirement for any specific fields to appear in the compliance layer. It is disappointing that the EPA do not consider voluntary provision of this data as a positive action.



	<ul style="list-style-type: none"> <li>• action taken to mitigate impacts.</li> </ul>		
1.4 (1)	There is only one complaint in the complaints register.	FCNSW to update the register with any complaints received.	The complaints register is up to date. Forestry Corporation receive very few complaints that specifically allege harm (within the definitions in applicable legislation) or non-compliance with a condition of the Coastal IFOA. However, more than one complaint is visible in the register at our end. We will investigate and ensure that all complaints captured by the Protocol 1 requirements are visible to the EPA.

**Appendix 3 Incorrect information entered into the registers**

Requirements	Auditor Comments	Proposed Actions	Draft Response by Forestry Corporation
1.2 (2)	<p>The operations register includes incorrect information, including:</p> <ul style="list-style-type: none"> <li>• the latest active date</li> <li>• the estimated average basal area the stand will be reduced</li> <li>• The inherent hazard level</li> <li>• length of new roads to be constructed</li> <li>• length of new roads to be constructed with a grade greater than 10 degrees</li> <li>• the length of new roads to be constructed on ground slopes greater than 30 degrees</li> <li>• the number of new and existing drainage feature crossings.</li> </ul>	<p>FCNSW to include the correct information into the operations register.</p>	<p>See response to Actions 2-11 above.</p>
1.3 (1) (a) – (k)	<p>The compliance layer includes incorrect information, including:</p> <ul style="list-style-type: none"> <li>• actual or potential harm, or reportable harm.</li> </ul>		<p>The Coastal IFOA does not require Forestry Corporation to make the compliance layer available to the EPA (except under statutory notice) or even to create such a layer. Further, there is no requirement for any specific fields to appear in the compliance layer, or for those fields to contain any particular information.</p>

Attachment 1 - Email confirming with the EPA, arrangements for the presentation of particular Operations Register requirements.

**From:** Justin Williams <[Justin.Williams@fcnsw.com.au](mailto:Justin.Williams@fcnsw.com.au)>  
**Sent:** Tuesday, 4 June 2019 5:09 PM  
**To:** Paul Campbell <[Paul.Campbell@epa.nsw.gov.au](mailto:Paul.Campbell@epa.nsw.gov.au)>; Roger Bluett <[Roger.Bluett@epa.nsw.gov.au](mailto:Roger.Bluett@epa.nsw.gov.au)>; Tony Brown <[Tony.Brown@fcnsw.com.au](mailto:Tony.Brown@fcnsw.com.au)>; Rob Kirwood <[Rob.Kirwood@fcnsw.com.au](mailto:Rob.Kirwood@fcnsw.com.au)>  
**Cc:** Dean Kearney <[Dean.Kearney@fcnsw.com.au](mailto:Dean.Kearney@fcnsw.com.au)>; Jacquelyn Miles <[Jacquelyn.Miles@epa.nsw.gov.au](mailto:Jacquelyn.Miles@epa.nsw.gov.au)>  
**Subject:** IFOA Register discussion and IFOA training

Hi Paul and Roger

Following yesterday's discussion regarding the Operations Register and Plan of Operations I wanted to get down the main discussion points

- PowerBi Report for operations register – positive feedback on the look of the register and the ability to slice and dice and sort or areas of interest.
- Agreement to running a single operations register from next month that brings all of the ongoing operations into the new CIFOA register format. FCNSW will get the data populated for both old and new operations as well as transitional arrangement reporting.
- Agree to talk further on whether the EPA want to see monthly 'snapshot' view of the register or are happy with the constant access model where the register is maintained on an ongoing basis. FCNSW can provide an export to csv on a monthly basis if that's desirable, noting EPA will receive an email for each change in status for an operational area.
- FCNSW will maintain an operational status log in the Plan Portal (ie every change in status such as approved to commenced to paused to recommenced to completed) and this will be available to view for each operational area.
- Each operational area will have a list of compartments, coupes within the operational area and this will store the year last harvested for each coupe/compartment and the year of last harvest for adjoining coupes to meet the reporting requirement of the plan of operations (2.2 (b) v and vi). The register will have a link to this table which will be stored in the Plan Portal for each operational area rather than try and maintain multiple additional rows in a flat register table. All of the reporting requirements of the operations register and plan of operations can be met via this approach just not in the one flat spreadsheet view.
- The Plan of Operations statewide map will be maintained on an ongoing basis via the status and scheduled commencement dates recorded in the Plan Portal. This means there will always be a 12 month forward looking plan rather than a static 12month plan updated once a year. The map will be colour coded by operational status. A stakeholder or EPA officer will be able to click on an operational area on the map and go straight to the Plan Portal to review or download relevant documents such as harvest plans and maps.
- A stakeholder or EPA officer will be able to register interest in a plan and will receive email updates when a new document is added to portal (eg a plan amendment) or a change in operational status occurs to keep up to date with changes.
- FCNSW are on track to have the plan of operations and operations register available for public access by the end of June.
- General agreement the look and feel of the register, the ongoing maintenance of data to keep both up to date, ease of access, email updates should make for a much more user friendly and self-service model.
- FCNSW described documents intended to be routinely made available to the public via the portal (eg operational plans and operational maps + amendments) as well as those for the EPA (eg public docs + tilepaks). Noting FCNSW can use the portal to make available additional material on request consistent with the public availability of documents clauses).
- Agreed to keep an ongoing dialogue about the registers and data/reports EPA would like to have routinely available in the portal (eg ecology reports). Paul Campbell to provide a list of documents EPA would like to have routine access to via the portal.

On another note, and as discussed over the phone with Paul, FCNSW are available to run IFOA training for EPA staff in the of 24<sup>th</sup> June. Suggest EPA identify Port Macquarie location for training over two days and FCNSW will facilitate field sites (eg GPZs, road and crossing stability, hollow-bearing trees clumps). EPA operations staff to attend along with FCNSW trainers and a few local field and supervisory staff to aid discussion. Use the training to assess draft guidance material in the field and review FCNSW draft contractor training material prior to sign off. We have trained up to 22 staff in a session so it is feasible for as many of the forestry unit to attend as feasible.

Please let me know if this is suitable. We can modify the training days to capture material outside of contractor training as well such as planning processes etc.

Regards  
Justin

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