

The EPA's compliance audits are always third-party audits, i.e. independent from the entity being audited. Compliance audits are a preventative tool insofar as they aim to identify risks before they develop into an environmental incident. Compliance audits use a systematic process of assessing actual performance against environmental risk. The scale of harm, sensitivity of the environment and likelihood of environmental harm occurring are used to determine risk. This is followed by a request to take action where improvements are required to reduce environmental risk.

The request allows the auditee to take appropriate risk abatement action to prevent future incidents.

The EPA carries out investigations as part of incident management and in response to community concerns. Unlike audits, investigations do not follow a structured process but apply a more flexible approach to assess non-compliance. The result of an investigation can vary and lead to a range of measures being applied such as guidance, requests for clean-up or remedial action, incident management, or recommendations for policy and legislative reform.

Crown native forestry compliance and enforcement activities by the EPA

The EPA's compliance priorities are set annually and are subject to ongoing review. The findings and proposed actions from compliance audits and investigations inform future regulatory activities.

In 2014–15, the EPA completed 24 proactive compliance audits and 31 investigations of forestry operations on NSW public lands. This regulatory work targeted retention of hollow-bearing and recruitment trees, landscape and threatened species protection and mark-up, water pollution and road crossing drainage, and koala compliance priorities.

Ten of the 31 investigations were triggered from reports by the public and two were triggered from Forestry Corporation reporting. One investigation that was administrative in nature is not included in the reporting for individual IFOA regions.

Compliance audit reports for individual public forestry operations are available on the EPA's compliance audit report register.

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Total non-compliances on public land

Non compliances found and reported by the EPA included:

- 10 non-compliances with EPL conditions
- 9 non-compliances with s.120 of the *Protection of the Environment Operations Act 1997*
- 236 non-compliances with TSL conditions.

During 2014–15 the EPA issued Forestry Corporation with 78 requests to develop and implement audit action plans to prevent recurrence of non-compliance incidents and minimise the risk of future environmental incidents. The EPA also issued Forestry Corporation with 28 advisory letters, one formal warning, six 'show cause' letters, nine official cautions, one clean-up notice, and six penalty notices.

IFOA region summary

Upper North East region (UNE)

The EPA completed five audits in the Upper North East IFOA region. These focused on TSL requirements regarding landscape boundary mark-up and protection including