



Department of
Environment and Conservation



Preparation of the

Forest Management Plan 2014–23

Outline of the process

August 2012

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1 INTRODUCTION

The *Conservation and Land Management Act 1984* (CALM Act) establishes that:

- The Conservation Commission of Western Australia is responsible for the preparation of proposed management plans for all land vested in and for submitting proposed management plans to the Minister for Environment for approval; and
- The Conservation Commission is responsible for preparing proposed management plans through the agency of the Department of Environment and Conservation (DEC).

The CALM Act also provides for the public to be notified that a proposed management plan has been prepared and for written public submissions to be made by any person regarding proposed management plans within a period that is not to be less than 2 months after the day the public is notified.

The current Forest Management Plan (FMP) expires on 31 December 2013.

The purpose of this document is to provide a clear framework and understanding for what is intended. It outlines the approach and likely timetable for preparation of the next FMP by describing the:

- purpose of the FMP
- background to the FMP process
- process that the Conservation Commission and the Department of Environment and Conservation propose to use in preparing the new FMP, including the proposed public consultation process
- proposed content of the FMP.¹

Definitions of several key terms used in this outline paper are given in Appendix 1.

2 PURPOSE OF THE FOREST MANAGEMENT PLAN 2014-2023

The new FMP will document the extent and tenure (category) of lands in its geographic area of coverage that are vested in the Conservation Commission. The focus of the FMP will be on the management of those areas that will remain State forest or timber reserve (including informal reserves). Management of forests in formal reserves (such as national parks) will be in accordance with the CALM Act and any management plans developed for those areas. The new FMP will outline the overall management objectives for the reserve system. The area to be covered by the new FMP comprises the administrative boundaries of the DEC's Swan, South West and Warren regions plus the 'Redmond forest block' to the north of Albany (see Appendix 2) It will provide for integration across tenures for particular issues if required.

As is the case with the current FMP, the new FMP will set out the manner in which the forests of the south west of WA will be managed over a ten year period (2014 to 2023), taking into account environmental, economic and social issues. Also, as is the case the current FMP, the new FMP will be based upon the principles of ecologically sustainable forest management (ESFM), which are defined in the CALM Act (see Appendix 1). Australia is a signatory to the Montreal Process and the Plan will be structured using the

¹ Note the new FMP will have a similar table of contents to the current FMP, following the Montreal Criteria for ecologically sustainable forest management.

Montreal Criteria (see Appendix 1) as the framework for plan goals and proposed operations. In this context the protection of biodiversity will be an underlying principle.

The new FMP will fulfil the following statutory requirements and objectives, including the requirements and objectives to:

- provide clarity and transparency to the community and stakeholders
- provide direction to DEC in its management of land covered by the Plan, with a focus on the management of State forests and timber reserves
- provide for wood production on a sustained yield basis
- comply with the new provisions of the CALM Act (expected to become effective in 2012, subject to gazetting of regulations) in ensuring that the value of the land to the culture and heritage of Aboriginal people is ascertained, and that strategies for the preservation and conservation of these values are incorporated in the management plan
- govern the activities of the Forest Products Commission (FPC) in respect of harvesting (wood production, including road construction and maintenance, and haulage of forest products) and regeneration of forests
- facilitate the Conservation Commission's assessment and auditing of the performance of DEC and the FPC in carrying out and complying with the FMP
- comply with Part IV of the Environmental Protection Act 1986 (EP Act)
- outline how monitoring of compliance with Ministerial Conditions set under the EP Act, in respect of the final FMP will be undertaken.

3. PROCESS

3.1 Procedures

The process of preparing the plan will be open and transparent, facilitating public input and comment. Supporting documentation and reviews will be made publically available.

DEC will coordinate input into the draft FMP including feedback from the public participation process for presentation to the Conservation Commission.

The CALM Act also requires that there be a formal public participation process by way of releasing the draft FMP for a minimum period of 2 months to enable written submissions by any member of the public. There must also be consultation under the EP Act.

Accordingly, a public review of the Draft FMP is coordinated under both the CALM Act and the EP Act. (This process is illustrated in Appendix 3). It is proposed to allow 12 weeks for public submissions. Following the public review process, a proposed FMP is prepared and forwarded to the Environmental Protection Authority (EPA) for assessment.

Following the EPA assessment and the completion of the appeals process, a revised proposed FMP will then be finalised and submitted to the Minister for Environment for approval. (This process is outlined in more detail in Appendices 3 and 4.)

Consultation process

This process is in two stages, the initial non-statutory consultation with key stakeholders, and the second statutory phase which involves broad community and stakeholder consultation.

Stage 1:

Targeted consultation with stakeholders prior to the release of the draft FMP. This will

involve meetings with state government agencies, local governments, key non-government organisations (including Aboriginal groups, peak conservation groups, timber industry and mining groups), representatives of appropriate trade unions and the Western Australian Local Government Association.

The main purpose of these activities is to provide information about the process and to allow these key stakeholders to identify what they see as the key issues, so that there is an opportunity for those issues to be considered in the development of the draft FMP.

Stage 1 has now been completed.

Stage 2:

Release of the draft FMP to trigger the (parallel) statutory public consultation processes under the EP Act and the CALM Act.

Appendix 4 describes in detail the statutory requirements of this second stage of the program which include specified mechanisms for notification, minimum periods for submissions, and bodies to which the proposed FMP must be referred.

Consultation and notification techniques will include extensive local advertising and use of websites, public information sessions in several locations across the south-west and in Perth, and the gathering of formal submissions both in hard copy and via a dedicated DEC email address. The Conservation Commission and DEC will provide links to the other's website, and each will have a dedicated FMP page.

3.2 Timelines

It is the Government's desire that the next FMP be developed, approved and implemented within timelines that ensure a smooth transition at the expiry of the current FMP on 31 December 2013. At the same time, it is intended that the public consultation process be comprehensive, and that the roles and responsibilities of the respective statutory authorities be fully considered.

The proposed timeline is attached as Appendix 5.

4. CONTENT

The new FMP will draw upon a wide range of previous work and documentation, including the FMP 2004–2013, which set out the state government's commitment to the principles of ESFM.

The CALM Act requires that a management plan shall contain a statement of the policies or guidelines proposed to be followed, and a summary of the operations proposed to be undertaken, in respect of the land to which the plan applies, during a specified period which shall not exceed 10 years.

The plan will be a concise, strategic-level document placing emphasis on managing key issues affecting the forest management area. Goals and proposed operations will be clear, and align with Conservation Commission and DEC policies and guidelines.

The plan will be guided by a range of policy themes, including

- water values;
- biodiversity values;
- management for the preservation and conservation of Indigenous cultural and heritage values

- climate change and native forest management;
- mining and rehabilitation;
- active recreation and management of conflicts; and
- dieback management.

In broad terms the new FMP will cover (but not necessarily be limited to):

- statutory and policy background e.g. relevant legislation, statutory functions, responsibilities and agency roles, including a brief description of the legal obligations of the Conservation Commission, DEC and FPC
- definition of land tenures covered by the FMP, including the formal conservation reserve system, outlining the overall management objectives for each tenure and any proposed changes (including minor boundary modifications)
- forest management planning (including more detailed planning for particular activities)
- principles and objectives of management (including ESFM and integration of management objectives)
- strategies for the preservation and conservation of Aboriginal cultural and heritage values of the land
- mechanisms for identifying research needs, developing research programs and incorporating new knowledge, consistent with the principle of adaptive management
- integrated monitoring, compliance, auditing and reporting
- required appendices, including maps, references and a glossary of terms.

A key contribution to the FMP process will be the report from the panel of independent experts, that will be appointed to review and advise on sustained yield levels.

The outcomes and recommendations of the mid-term and final audits of the current FMP, as well as outcomes from the review of silvicultural practices, will also be incorporated into the new FMP.

As indicated, the new FMP will have a similar table of contents to the current FMP, following the Montreal Criteria for ESFM.

Appendix 1: Definition of terms

Ecologically sustainable forest management (ESFM) has the meaning defined in section 19 (2) of the CALM Act:

- that the decision-making process should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations
- that if there are threats of serious or irreversible environmental damage, the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation
- that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations
- that the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making
- that improved valuation; pricing and incentive mechanisms should be promoted.

Montreal Process Criteria:

Criterion 1. Conservation of biological diversity

Criterion 2. Maintenance of productive capacity of forestry ecosystems

Criterion 3. Maintenance of forest ecosystem health and vitality

Criterion 4. Conservation and maintenance of soils and water resources

Criterion 5. Maintenance of forest contribution to global carbon cycles

Criterion 6. Maintenance and enhancement of long-term multiple socio-economic benefits to meet the needs of society

Criterion 7. Legal, political and institutional framework

Sustained yield has the meaning defined in the Regional Forest Agreement for the South-West Region Forest Region of Western Australia as:

the yield that a forest can produce continuously at a given intensity of management. Sustained yield management implies continuous production so planned as to achieve, at the earliest practical time, a balance between increment and cutting within a suite of sustainable use objectives.

Current FMP means the Forest Management Plan 2004–2013.

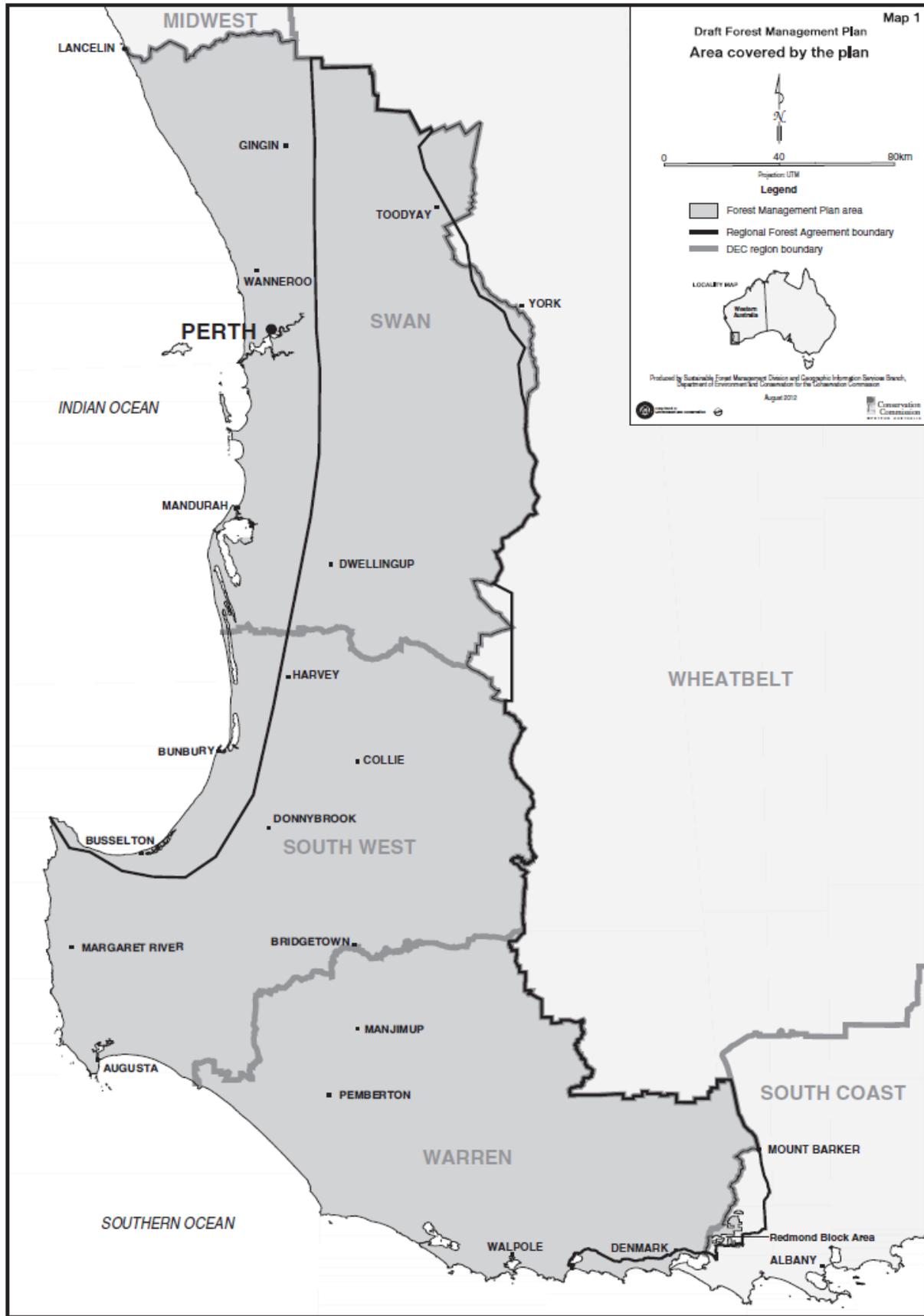
Draft FMP means the Forest Management Plan as released by the Conservation Commission and the EPA for public consultation.

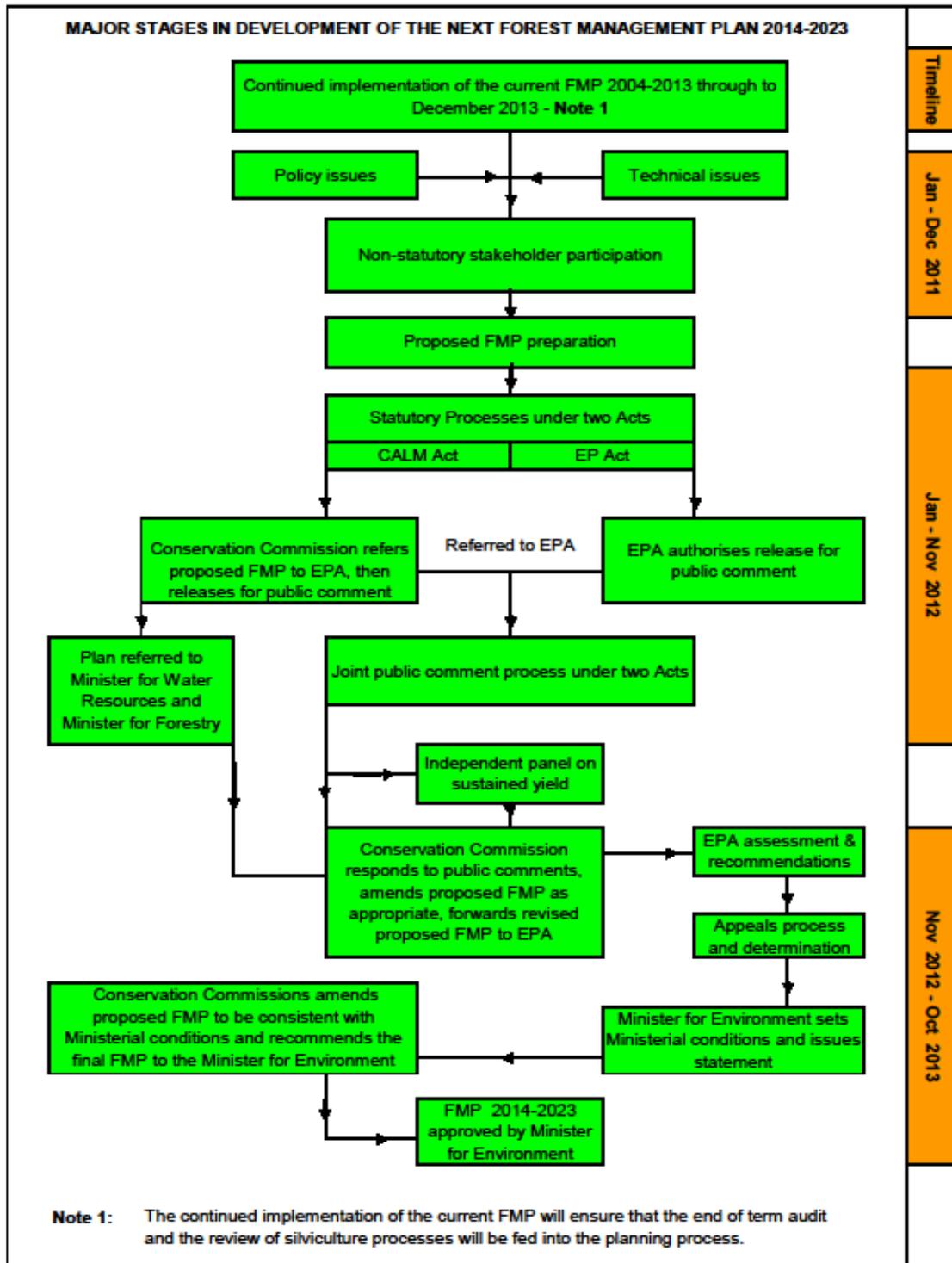
Proposed FMP means the Forest Management Plan as forwarded to the EPA for assessment following modification as a result of the public consultation process.

Revised Proposed FMP means the Forest Management Plan forwarded to the Minister for Environment for approval, following both the EPA assessment and any modification as a result of the appeals process.

FMP 2014–2023 means the Forest Management Plan approved by the Minister for Environment to commence operation on 1 January 2014 for a period of 10 years.

Appendix 2: Departmental area covered by FMP 2014–2023





Appendix 4: Public consultation and government approval process

1. INTRODUCTION

To ensure that both the process used to prepare the new FMP and the FMP itself are widely accepted and supported by the public at large, and as a matter of Government policy and legislative requirement, the Conservation Commission, through the agency of DEC, will engage in a program of statutory public consultation during the preparation of the new FMP.

This is outlined below and is in addition to the initial non-statutory consultation process as set out in Section 3.1 (see Stage 1 of the *Consultation process* on page 4).

2. STATUTORY REQUIREMENTS

2.1 Preparation of Management Plans

The Conservation Commission is required under Part V of the CALM Act as a controlling body to be responsible for the preparation of proposed management plans for all land vested in it, whether solely or jointly with an associated body.

Under Section 19(1)(f) and Section 60(1) of the CALM Act, the Conservation Commission is required to submit these proposed plans to the Minister.

2.2 Public Notification

Section 57 of the CALM Act requires that public notification that a proposed management plan has been prepared, be published:

- a) in the Gazette
- b) in 2 issues of a daily newspaper circulating throughout the State
- c) in 2 issues of a local newspaper circulating within the area in which the land is situated
- d) on such signs as the controlling body for that land may direct to be placed on or near the boundaries of the land.

2.3 Public Submission

Section 58 of the CALM Act states that written submissions on the proposed management plan may be made by any person:

- a) within a period determined by the Director General [of DEC], which period shall be not less than 2 months after the day on which the notice is published in the *Gazette*
- b) by delivering or posting them, so that they are received within that period at an address designated by the Director General [of DEC].

In the case of the FMP, the Forest Products Commission and the Minister for Water and any relevant water utility will be given a copy of any written submission on the proposed FMP (see 2.4 below).

To ensure every opportunity is provided for submissions, consultation techniques will include public information sessions which will be widely advertised, (events may be held in locations across the south-west and in Perth), and the gathering of formal submissions both in hard copy and via a dedicated DEC email address.

An official FMP page will also be developed on both the Conservation Commission and DEC websites, who will also provide links to each other's websites..

Specific mechanisms will be put in place to ensure Aboriginal stakeholders are widely consulted, taking into account any particular issues unique to that group.

2.4 Referral to other Bodies

As set out in Section 59 of the CALM Act:

- (1) The Conservation Commission may submit the FMP, modified if it thinks fit after considering written submissions, to any organisation or body it thinks appropriate, together with a summary of those submissions.
- (2) The Conservation Commission shall submit the proposed management plan to the local government of each district within which the land in question is situated. The local government authorities are to be given a reasonable time in which to prepare written submissions on the proposed FMP
- (3) In the case of a jointly vested nature reserve referred to in section 7(4), the Conservation Commission shall submit the proposed FMP to any associated body in sub-section (1) above.
- (4) If an organisation or body to which the proposed plan is referred under subsection (1) or (3) above considers that the Conservation Commission should vary the proposed FMP or make any addition to or delete any provision from, the proposed FMP, may within one month after receipt of the proposed FMP in writing, request the Conservation Commission to make the variation, addition or deletion.
- (5) The Conservation Commission shall submit a proposed management plan for State forest or a timber reserve to the Minister for Forest Products.
- (6) The Conservation Commission shall submit a proposed management plan for land that is or includes a public water catchment area to the Minister for Water.
- (7) If the proposed management plan is relevant to the functions of the Western Australian Tourism Commission under the *Western Australian Tourism Commission Act 1983* the Conservation Commission shall submit a proposed management plan to the Minister administering that Act.

2.5 EPA Process

The proposed FMP is referred to the EPA for Assessment as a proposal under Section 38 of the EP Act. It is proposed that the EPA period of public comment will run parallel with the CALM Act's statutory period for written public submissions.

2.6 Ministerial Approval

Under Section 60 of the CALM Act, the Conservation Commission will submit the revised proposed FMP, modified as it considers appropriate, to the Minister for Environment for approval, together with a copy of any requests to vary, add or delete, received from other bodies to which it was referred. The Minister for Environment may approve the revised proposed FMP or approve it with such modification as he/she sees fit.

2.7 Notification

Also under Section 60 of the CALM Act, notice that the FMP has been approved by the Minister shall be published in the *Gazette*, together with:

- (a) a notification of the purpose or combination of purposes specified in the plan for that State forest
- (b) a note specifying:
 - (i) whether any modifications were made by the Minister for Environment
 - (ii) where a copy of the plan may be inspected or obtained.

2.8 Operation

The Forest Management Plan will come into operation on the day of publication in the *Gazette*, or at such later date as specified in the Plan.

Appendix 5: Proposed timetable for the Forest Management Plan process

The following milestones are aimed at obtaining approval of a proposed FMP by the Minister for Environment by late 2013:

- **October – December 2011:**
Targeted consultation with key stakeholders
- **December 2011 – January 2012:**
Analysis of targeted stakeholder feedback
- **January – June 2012:**
draft FMP (proposal) prepared for release
- **March 2012:**
Scoping Document to EPA for assessment purposes
- **July 2012:**
Draft FMP to EPA
- **August 2012 – November 2012:**
Draft FMP released for joint public comment period and public information sessions
- **November 2012 – April 2013:**
DEC summarises/analyses submissions, modifies proposal as appropriate and Conservation Commission forwards proposed FMP to the EPA
- **April – July 2013:**
EPA assesses proposed FMP and advises Minister for Environment
- **July – August 2013:**
Appeal period on EPA assessment report
- **September 2013:**
Appeals determined and EPA advice provided to the Minister for Environment; Ministerial conditions set if necessary
- **September 2013:**
Conservation Commission submits revised proposed FMP to the Minister for Environment

- **October 2013**
Revised proposed FMP amended in line with Ministerial conditions
- **November 2013:**
Government decision and Ministerial approval of FMP 2014–2023 for publication and gazettal