



# How the Forest Practices System Operates

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Chair Board of the Forest Practices Authority

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*Tasmania's independent forest regulator administering the Forest Practices Act*

*• Advising • Researching • Monitoring • Enforcing*

‘one with the lot’



# The Detail

How the Forest Practices System Operates

go to

[www.fpa.tas.gov.au](http://www.fpa.tas.gov.au)

Tab – Forest practices system

# Regulating in the dynamics

Property owner attitudes

Community & ENGO attitudes

Industry & sectoral attitudes

Markets

Media

Politics

Other regulators and 'standard' makers

**New knowledge and the science**

## 2 Essential Success Features

**Independence**

**Knowledge Based**

# Overview

The 'rule set'

Making the rules

Applying the rules

Maintaining standards

# The 'rule set'

An Act

Regulations

A code

Policies

Advice

# The Code

“prescribes the manner in which forest practices are to be conducted so as provide reasonable protection to the environment”

- establishing and maintaining forests
  - restocking of land with trees
- harvesting of timber or clearing of trees
  - construction of roads or other works
- landscape management control of soil erosion



# Policies

## Policy for Maintaining a Permanent Native Forest Estate 2017

- Is a government policy communicated by the Minister
- Act requires the FPA to implement it
- Prohibits the broad-scale clearance and conversion of native forest on public and private land but then provides exemptions which still required to meet forest practices system
- Establishes rules on how FPA is to exercise its discretion

# Advice

- Fauna Technical Note No 1

## Eagle nest searching, activity checking and nest management

*“It is recommended that forest management constraints are applied from the beginning of July to January inclusive in most years to cover the period during the breeding season when birds are most sensitive to disturbance.”*

# Establishing 'the rule set'

Stakeholders - FPAC, PFT, STT & FPO-RG

The Act – the Agency, the Minister, the Government & Parliament

The Regulations – The Minister, the Governor in Council & Parliament

The Code – PFT, FPAC, STT & public process

Policies – The Department, Minister & the Government

Advice – The FPA, FPAC

# Applying the rules

Private Timber Reserves – PFT & the Board

Forest Practices Plans - FPOs & FPA Advisers

Threatened Species Advice – DPIPWE – Agreed Procedures

Threatened Native Vegetation Communities – Conversion & Clearance  
– the Board

# The Forest Practices Plan

Application of knowledge – rules and advice

Application of operational experience

Enables access to the forest resource

Protection of values

Prescription for on ground actions

Evidence against which to measure compliance

# Maintaining Standards

FPO Training

Compliance review – FPP Audits

Investigation of FPP non compliance

Alternatives to prosecution & prosecution

Investigation of poor professional practice/FPO discipline

Appeal to the Forest Practices Tribunal - merits

Judicial Review by the Supreme Court – legal and administrative compliance

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