

FPA

FOREST PRACTICES AUTHORITY

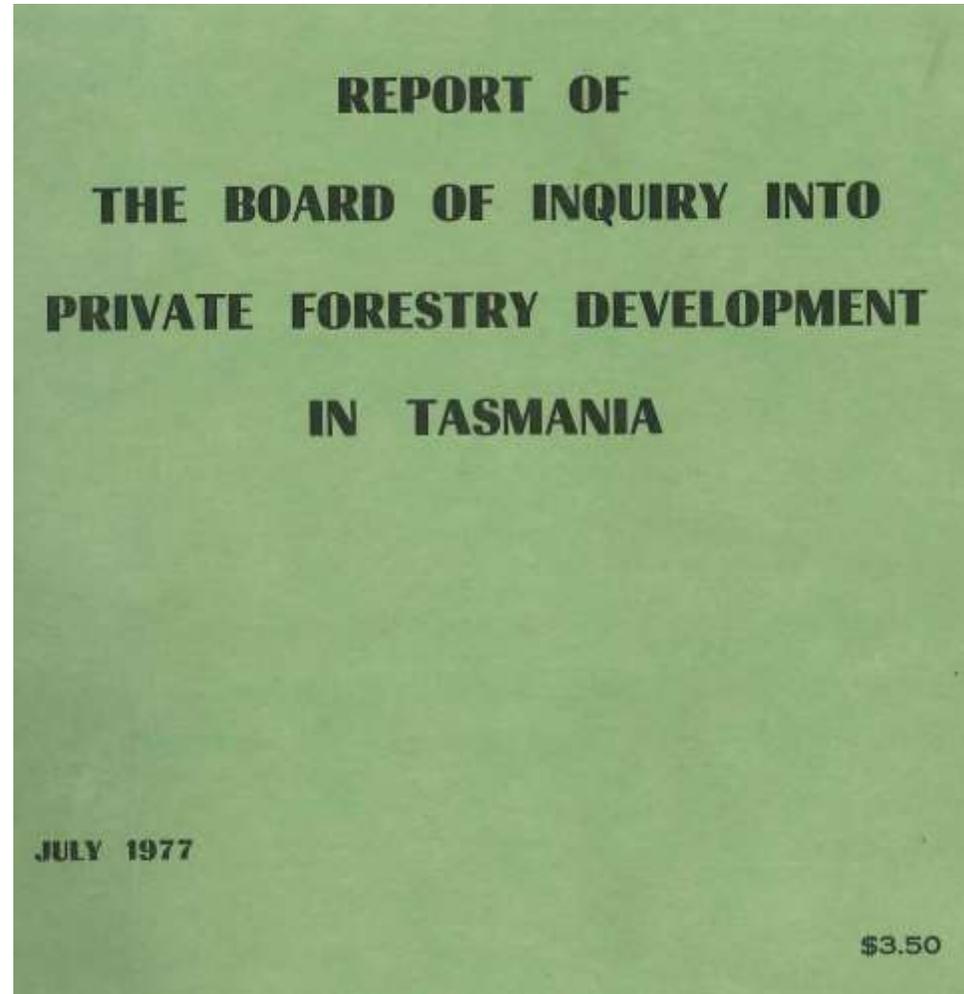
History of the Forest Practices System

Peter Volker

Tasmania's independent forest regulator administering the Forest Practices Act

• Advising • Researching • Monitoring • Enforcing

Everett and Gentle Report





Everett, Mervyn George (Merv) (1917–1988)

Lawyer, politician and judge

Attorney-General at time of Lake Pedder issue led to a disagreement with Premier Reece and resignation.

Senator 1974 to 1975

Judge of the Supreme Court in 1978-84

Federal Court Judge 1984-87

Gentle, Stanley Wallace (Wal) (1932–1989)

Forester and public servant

Forestry degree from Sydney University and Diploma from Australian Forestry School

Fullbright scholar – PhD at University of Washington

Deputy Director of NSW Dept of Environment and State Pollution Control Commission 1971-81

Credited with introducing environmental assessment to Australia.

NSW Commissioner for Forests in 1981-89



Recommendations

1. A Forest Practices Act, binding on the Crown, designed to establish proper standards of management of forests, relating to forest operations and practices including regeneration, harvesting, clearing, chemical use, silvicultural operations, streamside management, planning, fire, game control, aesthetics and the registration of foresters.
2. Removal of disincentives and obstacles to proper private forestry practices and incentives for proper management of private forests.

John Quick

Visionary of the Tasmanian forest practices system



- Travelled to North America with Minister for Forests, Neil Batt
 - California over-regulated
 - Washington heading the same way
 - Oregon had a good system focussed on outcomes
- In Tasmania heavy-handed government regulation wouldn't work
- Private Timber reserves provided an incentive to land owners
- Forest practices system provided for minimum bureaucracy with high degree of self-regulation
- Legally binding Forest Practices Code was supported
- Main architect of the Forest Practices Act
- Supported by all political parties, both Houses of Parliament, private landowners, forest industry and unions

Timeline

1977 – Everett, Gentle Report

1978 – Private Forests Division of Forestry Commission established

1980's – Timber Harvesting Code of Practice developed

1985 – Forest Practices Act

1987 – Forest Practices Code authorised, appointment of Forest practices officers (FPOs)

1993 – Forest Practices Code (2nd edition)

1994 – Private Forests Act

1997 – Forest Practices Board created as stand alone entity

2000 – Forest Practices Code (3rd edition)

2005 – Forest Practices Board becomes Forest Practices Authority

2011 – Tasmanian Forest Agreement process, industry turmoil

Key changes to forest practices system

- **Regulations introduce exemptions from requiring forest practices plan in certain circumstances**
- **Changes to Forest Practices Act**
 - **Control of clearing and conversion of threatened native vegetation communities**
 - **Compliance reporting at the end of each discrete operational phase**
 - **Control of tree fern harvesting and tagging system**
 - **Formal recognition of Forest Practices Advisory Council (FPAC)**
 - **Consideration of social and economic effects introduced into the objectives**
 - **Quinquennial State of the Forests Report and forest practices report**
 - **Implementation of the Permanent Native Forest Estate Policy**
 - **Self-funding requirement through charging of fees for forest practices plan applications**

Basis of the forest practices system

- Planning based on science and pragmatism
- Timely and high quality advice
- Administrative law that adapts to changing circumstances
- Effectiveness monitoring – science and compliance programs
- Adaptive process informed by science and technology
- People on the ground
 - planning, supervising and training

Planning tools

- Planning tools include:
 - Threatened fauna adviser
 - Botany Manuals
 - Biodiversity values database
 - Habitat context assessment tool
 - Visual Landscape Management Manual
 - Forest soils fact sheets
 - Class 4 stream guidelines
 - Procedures for managing historic cultural heritage when preparing FPPs
 - Procedures for managing aboriginal cultural heritage when preparing FPPs

Administrative tools

- Application of administrative law requires clear guidelines and adherence to principles of natural justice
- Resource manuals for forest practices officers
- Templates for the production of forest practices plans
- Acknowledgement forms associated with forest practices plans
- Templates for compliance reporting
- Monitoring and assessment protocols
- Investigation and enforcement protocols

Why has the forest practices system survived?

- The system is based on excellent training and continuous improvement of people and processes
- It is the people in the forest practices system and their commitment to it that have contributed to its success over the past 30 years