

Forest Practices Plans

Responsibilities and Implementation

Note: This set of instructions and technical advice replaces the following instructions and technical advice issued by the CFPO:

Instruction/Technical advice	Date issued
A Guide for Forest Practices Officers (part)	October 1994
Certificates of Compliance (Admin. Instruction 00/01)	24 March 2000
Certification of Compliance	18 December 2000
Reporting of compliance with Forest Practices Plans under s. 25A of the <i>Forest Practices Act</i>	7 December 2001

Applicants

Status: General technical advice

Summary:

- **The applicant is the person or organisation who applies for the FPP to be certified. The applicant is required to sign an acknowledgement form. Any one or a combination of the parties to the FPP can be the applicant.**
- **The applicant is the only person who can apply for a variation, or who can appeal to the Forest Practices Tribunal regarding FPPs.**
- **The applicant is responsible for ensuring that Certificates of Compliance are lodged at the expiry of a FPP, and, for FPPs certified after [date to be advised], at the completion of each discrete operational phase. Applicants may be required by the FPA to lodge progress reports during the operation of the FPP.**
- **The applicant cannot be changed by variation, but the applicant may authorise another person to make an application to vary a plan.**

Who is the applicant?

The applicant is the person who applies for certification of the FPP under section 18(1)(b) of the *Forest Practices Act*. Any person (or organisation) can apply for certification of an FPP. In practice it is usually either the landowner or a timber processor. The name of the applicant is listed on the front page of the FPP, and the applicant is also required to sign the *Acknowledgement of persons/organisations in relation to Forest Practices Plan No.....* form.

Where an individual signs as applicant on behalf of a company that individual does not personally take on the rights and responsibilities of the applicant.

Can more than one party apply for a Forest Practices Plan?

Yes, for example the landowner and a timber processor may apply for a FPP as joint applicants. In this case, both parties may jointly or individually exercise their rights as discussed in this section. Both or either may appeal against any refusal, amendment or variation of a FPP instigated by the FPA. Similarly, both or either may apply for a variation to a FPP. In this circumstance the FPO should notify the other applicant and invite him or her to make submissions. Where there is disagreement between the applicants, the FPA would

consider the views of all applicants in making a decision. However, only the applicant who applied for the variation would have appeal rights with respect to any decision relating to that variation.

Where two or more parties are joint applicants, all are legally obliged to lodge Certificates of Compliance. To avoid duplication of effort, it is best for applicants to lodge joint certificates. Alternatively, the FPP could state which of the applicants will be responsible for lodgement of the Certificates of Compliance.

Applicant's rights

The applicant is the only person who can apply for a variation of a Forest Practices Plan (section 23 of the *Forest Practices Act*).

The applicant is the only person who can formally appeal to the Forest Practices Tribunal against the refusal, amendment, variation, refusal to vary, or revocation of an FPP (section 25 of the Act).

The applicant may authorise some other person in writing to make an application to vary a plan in the name of the original applicant. See the section ***Can the applicant be changed by variation?*** below.

Applicant's responsibilities

As the "responsible person" for a FPP, it is the applicant's responsibility to ensure that a Certificate of Compliance is lodged with the FPA within 30 days of the expiry of a FPP (section 25A of the *Forest Practices Act*). Under the 2005 amendments to the Act, the applicant will also be responsible for ensuring that Certificates of Compliance are lodged with the FPA within 30 days of completion of each discrete operational phase identified in FPPs certified after [date to be advised].). The applicant may also be required by the FPA to provide a progress report on the FPP (section 25B of the Act). A progress report is defined as "means a report, in a form approved by the Authority, specifying whether or not a forest practices plan has been complied with up to a date or during a period, or as regards a matter, nominated by the Authority". The FPA will ask for a progress report if it considers on reasonable grounds that it should not rely solely on reports under section 25A to monitor compliance with a FPP. A progress report must be provided within 21 days of receipt of a notice from the FPA.

An applicant who is also the landowner, and who sells land covered by an FPP, remains as the applicant after the sale. The original owner thus retains all the applicant's rights and responsibilities under the Act as described above, even though he or she has sold the land.

Can the applicant be changed by variation?

As the applicant by definition is the person who originally applied for certification of the FPP, the applicant cannot be changed by variation. However, the applicant may authorise some other person in writing to make an application to vary a plan in the name of the original applicant. Therefore the purchaser of land over which there is a current FPP (applied for by the original landowner) would be advised to obtain that authorisation from the previous landowner.

Landowners

Status: General technical advice

For more information relating to landowner approval of FPPs see *Landowner approval* and *Verification of landowner*.

Summary:

- **The landowner is defined under the *Forest Practices Act* and includes the holder of a forestry right.**
- **The landowner must not carry out or cause the carrying out of forest practices unless there is a certified FPP in place**
- **The landowner has a duty of care to protect natural and cultural values.**
- **The landowner should be prepared to discuss the contents of the FPP with interested parties.**
- **The landowner's approval must be obtained before a FPP is certified or varied. Where there are multiple landowners, the approval of all landowners must be obtained.**
- **A FPP continues to apply when a property is sold to a new landowner.**

Definition of landowner

A landowner (“owner of land”) is as defined in section 3 of the *Forest Practices Act*, and includes tenants for life, lessees with 99 year leases, and holders of forestry rights. The landowner is the person or organisation listed on the current title deed. A “forestry right” as defined under the Act is limited essentially to situations such as the timber concessions over State forest that were held by various pulp and paper companies. Rights to timber on private land, leasehold, and joint venture arrangements on private land do not constitute forestry rights as defined under the Act.

Landowner's responsibilities

A landowner is a “responsible person” under 17 of the *Forest Practices Act*, and as such must not carry out or cause the carrying out of establishment of forests, clearing of trees, harvesting of timber (including tree ferns), construction of a forest road, or operation of a forestry quarry without a certified Forest Practices Plan. Note that “trees” and “timber” are as defined in the *Forest Practices Act 1985* (see *Forest Practices Act* for more information). The requirement for a Forest Practices Plan under the Act is not affected by whether the proposed harvesting is of a commercial nature or not, e.g. a landowner would require a FPP for the taking of firewood from his or her own property for personal use. However, the *Forest Practices Regulations* provide circumstances under which a Forest Practices Plan is not required (see *When is a Forest Practices Plan required?*).

All forest practices within the Forest Practices Plan boundary are subject to the provisions of the FPP. Thus a landowner must ensure that any other activities he or she conducts or authorises within the FPP boundary are not in breach of the FPP. For example, a landowner who allowed their stock onto a recently regenerated area would risk being in breach of the plan, or may be directly in breach of the plan if it precluded stock.

Duty of care

A landowner has a duty of care to protect soil and water values and other values. The landowner's duty of care is prescribed in the Code (page 52), and in the FPA policy *Conservation of natural and cultural values under the forest practices system (Duty of care policy)*.

Communication of information contained within Forest Practices Plans

A landowner should be prepared to discuss the contents of a FPP with neighbours and other interested parties (see ***Policy on the communication of information contained within Forest Practices Plans***), or, by arrangement, have an FPO perform this function. The FPA reserves the right to release a copy of an FPP or to provide information contained in an FPP to interested parties.

Landowner's rights

The landowner has to give his or her approval before a plan can be submitted for certification (s. 18(4) of the *Forest Practices Act*). The landowner's approval must also be obtained for any section 23 variations. The landowner must also be advised when a plan is amended (section 19 of the Act). (See the sections on ***Variations*** and ***Amendments*** for more information.)

The landowner may wish to be the person who applies for the plan to be certified, as this will enable them to initiate variations to the plan.

Multiple landowners

This is covered under a separate section. See ***Forest Practices Plans covering areas with two or more landowners***.

Absentee and joint landowners

This is covered under a separate section. See ***Authorised agents***.

Change of ownership

This section applies where there is a change of land ownership during the life of a FPP.

A purchaser of a property should become aware of the existence of a FPP when purchasing land. Even if it was not disclosed by the vendor prior to signing the contract of sale, a diligent purchaser should seek this type of information in requisitions prior to settlement.

The responsibilities of the landowner under a FPP normally flow on to the new landowner in this way. Section 21 of the *Forest Practices Act* deals with contravention of a certified plan, including by a landowner. It is not dependent for its operation upon the landowner being the person who applied for certification of the plan. A landowner who purchases a property over which there is a current FPP, and who acts in contravention of that plan, will be in breach of the Act.

It is not necessary to vary a plan to incorporate the new landowner merely because of a change of ownership. However, an exception would be where the plan specifically stated, for example, "J. Bloggs will be responsible for reforestation". In such cases the responsibility would remain with the original landowner (J. Bloggs), unless a variation was done to transfer the responsibility to the new landowner.

What happens if a new landowner does not wish to proceed with a Forest Practices Plan?

Usually it will be possible for the new landowner to seek, through the applicant, a variation bringing forward the expiry date of the plan. However, there may be complications, so advice should be sought from the FPA, preferably before the purchase of the land subject to the FPP has been completed.

Timber processors

Status: General technical advice

Summary:

- **The term timber processor is defined under the *Forest Practices Act*.**
- **A timber processor must not cause the harvesting of timber unless there is a certified FPP in place.**
- **Timber processors can play active role in the forest practices system by employing FPOs, and ensuring that their staff and contractors have sufficient training.**

- **A FPP must contain the name of any timber processor by whom the timber harvested under the plan is intended or expected to be processed.**
- **Timber processors are encouraged to ensure that there is adequate supervision of operations under their control, to take an active part in contractor training, and to make submissions on proposed amendments to the Forest Practices Code.**
- **Timber processors who harvest over 100,000 tonnes of timber per annum must submit a three year plan.**

Definition of timber processor

Under section 3 of the *Forest Practices Act 1985* a “timber processor” means a person who processes or harvests timber for the purpose of:

- (a) producing logs for export or
- (b) producing for sale one or more of the following products:
 - (i) fuel wood;
 - (ii) poles, piles, posts;
 - (iii) timber;
 - (iv) veneer;
 - (v) wood chips;
 - (vi) wood pulp;
 - (vii) tree ferns.

“Timber” includes the trunk, branch and any other part of a tree or fallen tree, whether or not it is cut up, sawn, hewn, split or otherwise dealt with.

Timber processors responsibilities

Accepting timber

A timber processor would be in breach of the *Forest Practices Act* if they caused the harvesting of timber, or accepted timber from land over which there was not in existence a certified FPP (as a responsible person under s. 17 of the *Forest Practices Act*). They would also be in breach of the Act if they caused the harvesting of timber in contravention of the provisions of a FPP (s. 21(1)(b)). Therefore a diligent timber processor should check whether a certified FPP exists before receiving timber from operations not under its direct supervision, and should ensure that it does not give any direction that would lead to the breach of any provision in a FPP.

Occasionally enquiries are received by the Forest Practices Authority from timber processors that have been offered timber from an area believed to be exempted from the requirement for

a FPP. If the area is exempted from the requirement for a FPP under the Forest Practices Regulations the FPA will normally confirm this fact with the timber processor so that it can receive timber from the area.

The role of the timber processor under the forest practices system

Many timber processors play an active role in the forest practices system. Larger timber processors in particular employ FPOs who prepare and certify FPPs, and manage operations under FPPs. This reflects a key feature of the *Forest Practices Act*, as the objective of the Act places an emphasis on self-funding and self-regulation. A commitment by timber processors to the forest practices system will help to deliver high compliance levels and public acceptance of forestry in Tasmania.

In many cases a timber processor is the applicant for a FPP. This enables the timber processor to initiate variations, but the timber processor is also then responsible for lodgement of Certificates of Compliance.

Timber processors should ensure that their contractors and staff have sufficient forest practices training. For a brief resume of training currently available see *Training for non Forest Practices Officers*.

Timber processors should provide input into proposed amendments of the Forest Practices Code and other changes to the forest practices system. Timber processors should provide input into the development of the forest practices system through the Forest Practices Advisory Council, which includes “a person with expertise in, and experience of, forest issues in relation to harvesting and processing ...”.

Naming a timber processor in a Forest Practices Plan

The *Forest Practices Act* (s. 18(2)(d)) requires that a FPP will contain the name of any timber processors by whom the timber harvested under the plan is intended or expected to be processed. There is provision to name intended timber processors on the cover page of the FPP. Naming a timber processor in a FPP does not confer any rights or obligations on that timber processor. The name of an intended or expected processor must be entered on the cover page for any FPP that involves the harvesting of timber. A name is not required where no timber is to be harvested (e.g. establishment of plantations on cleared land).

Acknowledgement of timber processors with primary responsibility for management of forest practices under a Forest Practices Plan

Regular oversight of operations under Forest Practices Plans is provided by FPOs and other trained supervisors. These people are mostly employed by forest managers and timber processors who accept a responsibility to ensure that a high level of compliance with FPPs is achieved. Statements are commonly placed in FPPs indicating a forest manager or timber processor takes responsibility for certain aspects of the plan.

To ensure that timber processors that are allocated responsibilities under a FPP are aware of, and accept those responsibilities, the FPA has designed a form to be signed by a representative of the timber processor acknowledging responsibilities under the FPP.

Requirement for large timber processors to lodge three year plans

Timber processors harvesting or causing the harvest of more than 100,000 tonnes of timber per annum are required to submit a three year plan under s. 27 of the Act. (See the section on *Three year plans*.)

Contractors

Status: General technical advice

Summary:

- **Contractors may be asked to sign an acknowledgement before operating under a FPP.**
- **All contractors are bound by the provisions of a FPP irrespective of whether they have signed an acknowledgement.**
- **Contractors are responsible for their employees through vicarious liability.**
- **Contractors must comply with the requirements of s. 41 notices.**

Contractor's responsibilities

The contractor and his or her employees play a vital role in ensuring that high forest practices standards are achieved. Contractors and their employees are potentially liable to fines or prosecution under the *Forest Practices Act* for breaches of the provisions of an FPP.

Requirement to sign an acknowledgement before operating under a Forest Practices Plan

As from July 2005 contractors will no longer be asked to sign FPPs, but may be asked to sign an acknowledgement. See *Completion of the "Acknowledgement of persons or organisations operating under Forest Practices Plan No....." form*. The purpose of this is to ensure that contractors are aware of the requirement to comply with the provisions of any plan that they operate under.

Requirement to comply with a Forest Practices Plan

In some instances contractors may operate under a Forest Practices Plan without having signed an acknowledgement. The fact that a contractor has not signed an acknowledgement does not diminish the contractor's responsibility to comply with the provisions of that FPP, nor reduce the contractor's potential liability in the event of the contractor causing a breach of the plan.

The contractor should ensure that his or her employees have adequate forest practices training. For a brief resume of training currently available see *Training for non Forest Practices Officers*.

The contractor must ensure that his or her employees are aware of and comply with the requirements of the Forest Practices Plan and the Forest Practices Code. The contractor should ensure that all employees are briefed at the commencement of operations on FPP requirements. Copies of the FPP and the Code should be available on site at all times while operations are in progress. The contractor should ensure that when an employee is taking over another's duties a handover procedure takes place so that the incoming employee is aware of the FPP prescriptions and any other relevant matters. The contractor has vicarious responsibility for his or her employees (see the next section on *Vicarious liability for employees*).

Vicarious liability for employees

A contractor may be held vicariously responsible for the actions of his or her employees (section 47C of the Forest Practices Act).

The contractor should exercise due diligence to minimise his or her exposure to the vicarious liability provision by ensuring that:

- his or her employees have adequate training and instruction, and any new employees are inducted onto the job;
- his or her employees are briefed on and understand the requirements of the FPP before operations start;
- a copy of the relevant FPP is on the job at all times while operations are in progress;
- a copy of the Forest Practices Code is available to his or her employees;
- his or her employees understand the necessity of complying with the Forest Practices Code and FPP provisions;
- matters are referred to a FPO when in doubt;
- any section 41 notices are complied with.

For a more detailed coverage of the vicarious liability provision see the section on *Vicarious liability*.

Compliance with section 41 notices

The contractor must comply with the provisions of any notice issued to him or her by an FPO under s. 41 (see the section on *Section 41 notices*). The contractor has a right of appeal if he or she considers that the notice is not justified. The contractor may be fined or prosecuted if he or she does not comply with a notice.

Where the contractor is not the applicant, he or she has no right of appeal in relation to the certification, refusal or amendment of the FPP, so the contractor's only avenue would be to convince the applicant to appeal.

Contractors should note aspects of the Forest Practices Code that they consider should be amended and advise the FPA or make a submission at the time of Code review.

Reforestation

Status: Administrative Instruction to Forest Practices Officers

Summary:

- **The person named as responsible for reforestation in the FPP must ensure that reforestation measures in the FPP, including a stocking survey, are undertaken in an appropriate and timely manner.**
- **If the stocking standard specified in the FPP cannot be achieved before expiry of the plan, the plan should be extended by variation or the FPA notified.**

Responsibility for reforestation

The Forest Practices Authority requires that where reforestation is specified in a plan a person or organisation is assigned responsibility and signs an acknowledgement to this effect (see *Completion of the "Acknowledgement of persons or organisations with primary responsibility for management of forest practices" form*). This person or organisation takes

responsibility for ensuring that reforestation is undertaken as required under the plan. The person or organisation must ensure that if contractors are engaged to undertake the work they are aware of the requirements of the Forest Practices Plan.

The person responsible for reforestation should have sufficient expertise or access to expertise to undertake reforestation including a stocking survey, and ensure that these measures are undertaken in an appropriate and timely manner. FPOs should not certify FPPs unless they are satisfied that the person assuming responsibility for reforestation has the ability and intent to ensure compliance with the plan. (See also *Harvesting prescriptions and reforestation techniques*.)

What to do when reforestation cannot be achieved before the Forest Practices Plan expires

Sometimes roading and/or harvesting activities are delayed so that it becomes clear that reforestation cannot be undertaken to the required stocking standard within the period of the plan. In this case it would be normal to vary the plan to extend the period of the plan. If the applicant or landowner does not agree to extend the period of the plan the person responsible for reforestation should contact the CFPO for advice.

There have been instances where reforestation is not achievable because a harvesting contractor has left a coupe and is unlikely to return. This can occur either where the landowner directs the contractor to leave (usually through some disagreement), or where the contractor leaves of his or her own volition (either through some disagreement or by dishonouring his or her undertaking to the landowner to harvest the property). The person responsible for reforestation would be advised to notify the CFPO as action may be required to ensure compliance with the plan. If FPOs become aware of such a situation they should advise the CFPO.

Forest Practices Officers

Status: Administrative Instruction to Forest Practices Officers

For more information on the role of FPOs generally see *Forest Practices Officers* and with regard to FPP certification etc. see *Forest Practices Plans – Certification, Amendment, Variation, Refusal and Revocation*.

Summary:

- **FPOs must be diligent in the performance of their duties.**
- **FPOs should discuss key provisions of FPPs with contractors and their employees before operations under a FPP commence, and should have contractors refer issues of Code/FPP interpretation to them when in doubt.**
- **FPOs should regularly monitor and audit operations under FPPs.**
- **Property and reserve boundaries should be determined and marked using appropriate procedures before operations under a FPP commence.**
- **FPOs can enter land where forest practices are or were carried out, gather information and issue notices as appropriate.**
- **FPOs must report serious breaches to the FPA.**
- **FPOs are authorised to issue s. 41 notices where compliance with the provisions of a FPP or the Act is not occurring.**
- **FPOs may be asked by the FPA to assist with the investigation of complaints.**
- **FPOs have a role in assisting landowners to provide information in FPPs to neighbours and other interested parties.**

Certificates of Compliance – see the next section.**Due diligence**

Section 39 of the *Forest Practices Act* authorises the Forest Practices Authority to revoke the authorisation of an FPO who “has been negligent or not diligent in performing the duties and exercising the powers of a forest practices officer”. It follows that FPOs, as agents of the FPA, must be diligent in performing their responsibilities, and clearly separate and differentiate their responsibilities to the FPA from those to their employer.

Implementation of Forest Practices Code and Forest Practices Plan provisions

See also the section on *Forest Practices Code requirements*.

Supervision of contractors

The success of the forest practices system is largely dependent on FPOs who work as field supervisors and who make day-to-day decisions on interpretation and implementation of Forest Practices Code and FPP provisions.

It is essential that FPOs discuss key provisions of FPPs with contractors or their bush bosses before operations commence to ensure that the contractor are aware of and understand the provisions. Ideally this should extend to all the contractor’s employees on the job, or if not, the contractor should be made aware that he or she must brief employees. This procedure should also involve walking the coupe to discuss key aspects.

Contractor’s and operator’s knowledge of the Code is variable. FPOs should encourage contractors and operators to make themselves familiar with the parts of the Code that are most relevant to their work, and undertake formal forest practices training.

The contractor should have a copy of the FPP and the Code on site at all times while operations are in progress. (This is not a legal requirement unless stated in the FPP.)

Where an FPO is handing over responsibility for supervision of an operation to another FPO, for example when going on leave, the FPO should fully brief the other FPO on forest practices issues on each of his or her operations. This should include site visits. Similarly, when a contractor brings an employee onto a forest operation that has already commenced the contractor must brief the employee on forest practices requirements.

Contractors should be encouraged to refer any forest practices issues that arise on their forest operation to an FPO for advice or interpretation. For example, if a contractor encounters what he or she thinks may be a Class 4 watercourse that is not shown on the FPP map, the contractor should inform his or her employees to cease work in that area until an FPO inspects the site and makes a determination. Alternatively, the contractor could continue working, but treat the feature as a Class 4 watercourse, or avoid the feature until an FPO makes an interpretation.

Direct supervision of operations under a FPP should lie with the contractor and (usually) the timber processor’s supervisor. Direction of the contractor’s employees should lie with the contractor. In practice things may not be so straightforward as:

- some contractors do not visit their operations often enough;
- supervisors may not inspect operations enough or may not be prepared to enforce requirements sufficiently;

- some contractor's and operator's knowledge of Forest Practices Code and FPP requirements is inadequate, i.e. they require additional training;
- sometimes certain actions, or lack of action, may require immediate attention if a significant local problem is to be prevented. It may not be prudent to wait until the contractor can be contacted.

FPOs and supervisors will and should talk to operators in the bush, ideally in the presence of the contractor, but without the contractor's presence if required. Where an FPO gives any form of direction to an operator, the FPO should avoid telling the operator how to achieve the direction if safety issues may be involved. Otherwise the FPO may be responsible for causing a breach of the *Workplace Health and Safety Act 1995*. (Safety issues will be covered under a separate Forest Operations Safety Plan.)

Monitoring and auditing of Forest Practices Plans

The Act places an emphasis on self-regulation, and for this to work it is highly desirable that the implementation of FPPs is monitored on a regular basis by FPOs. Some forestry organisations have environmental management systems that require them to monitor forest practices through formal audit processes, with follow up corrective actions for incidences of non-compliance. The Forest Practices Authority fully supports this approach as desirable for achieving the best forest practices outcomes.

The FPA has developed an audit form that may be used by FPOs, or they may use an audit form developed by their own organisation.

Incidences of serious breaches identified during monitoring and audits must be reported to the FPA (see *Reporting of breaches*).

Boundaries

Determination of property and formal reserve boundaries

Background

Note: Formal reserves include gazetted reserves such as Forest Reserves. Informal reserves, such as streamside reserves, are discussed in the next section *Determination of informal reserve boundaries*.

Harvesting cut-overs and other intrusions onto adjoining properties have been a regular cause of breaches of the *Forest Practices Act*. Intrusions onto adjoining properties occur for a number of reasons:

- failure to mark a property boundary, e.g. commencing operations before all boundary marking has been completed, but failing to inform contractors of this fact;
- marking the property boundary in the incorrect location, e.g. by assuming the location shown on the 1:25,000 map is correct (it can be up to 100 m out), or accepting the landowners advice on boundary location without checking;
- inadequate or confusing demarcation of a property boundary, e.g. insufficient tape used in dense undergrowth;
- ignoring or falsely locating a property boundary through deliberate or careless action

The consequences of cut-overs vary, from situations where the affected neighbour is unconcerned and happy to receive income, to situations where the affected neighbour is

highly aggrieved. Notwithstanding this, all cut-overs are serious procedural breaches, reflecting systems deficiency in the planning and/or supervisory processes.

Procedure

Where operations under a FPP are to occur up to, or within 100m of, a property boundary **agreement should be reached between the affected landowners on how the boundary is to be located and marked in the field**. Some alternatives suggested are:

- use a registered surveyor to mark the boundary;
- for a boundary that has been marked in the past by a registered surveyor, a forester with an understanding of surveying could remark the boundary (using survey notes, compass and chain, GPS etc.);
- accept an existing fence line or other existing marking as being the boundary;
- use a Geographic Positioning System from an agreed point e.g. equivalent to a point on the 1:25,000 map;

Determination of informal reserve boundaries

The normal reserve widths used under the Forest Practices Code are 40, 30 and 20 metres for Class 1, 2 and 3 streamside reserves respectively, and 100 metres for wildlife habitat strips. Wider reserves, or reserves for other values may be specified in individual FPPs. Because a high level of precision is required for formal reserve boundaries, such as Forest Reserves, the approach under ***Determination of property and formal reserve boundaries*** above should be used for formal reserve boundaries.

The effectiveness of an informal reserve is not usually dependent on the specified width being adhered to precisely. To measure informal reserve boundaries precisely would be an expensive exercise, especially where the ground conditions are difficult and reserve boundaries are irregular, such as for meandering streams. For these reasons, **the Forest Practices Authority accepts that practical methods of determining informal reserve boundaries are acceptable in most situations** and that people will err on the side of caution. For the purposes of audit, **the FPA will expect that field marking has been done in good faith and that:**

- **on average, the reserve width that is marked will exceed that required under the Forest Practices Code;**
- **sections of reserve that are below the standard width will not comprise more than 10% of the length of the reserve, and will be no more than 10% below the required width at any point.**

Streamside reserves, wildlife habitat strips, and other reserves of fixed width should be determined by methods that ensure reasonable accuracy to achieve the above specifications. The FPA recommends the following approach:

- appropriate equipment should be used, e.g. tape measure, clinometer, vertex and transponder, and geographic positioning system;
- as all reserve widths specified are horizontal distance, corrections for slope should be made for slopes in excess of 10% (see the table below);
- for streamside reserves in situations of good visibility (e.g. dry forests), a single experienced person can mark the reserve boundary by walking parallel to the creek, and estimating the streamside reserve width visually with occasional checks by actual measurement. When using this method of estimating the distance a

conservative approach is appropriate, i.e. for a 20 m reserve width aim for at least 22 m width;

- for streamside reserves in situations of poor visibility (e.g. wet forests), a similar approach to the above should be used, except that a second person who walks along the streambank in parallel to the first person should be used, and regular checks made (say every 50-100m) by actual measurement;
- for wider reserves such as wildlife habitat strips (100 m), landscape and flora reserves, a more sophisticated approach, e.g. using a geographic positioning system, is recommended;
- logical points such as a break in slope should be used as boundaries provided the specified reserve width is obtained.

Table showing slope corrections

Slope		Slope correction*
Percent	Degrees	
10	6	0.995
15	8 ^{1/2}	0.99
20	11 ^{1/2}	0.98
30	17	0.96
40	22	0.93
50	26 ^{1/2}	0.89
60	31	0.86
70	35	0.82

* To obtain the correct horizontal distance, multiply the measured slope distance by the slope correction.

Marking of operational boundaries

The Forest Practices Code provides that:

- harvesting boundaries will be marked before falling commences unless they are clearly delineated by a change in vegetation such as a forest/pasture boundary (p. 32);

- the responsibility for boundary marking will be stated in the Forest Practices Plan (p. 32);
- a Forest Practices Plan will include provisions relating to how boundaries are to be delineated in the field (p. 4), with recommended standard colours given in Appendix 1.

The FPP must also state who (organisation/title) is responsible for marking boundaries (as required on page 32 of the Forest Practices Code), and should also state how boundaries are to be marked. Although the colours recommended in the Protocol for Forestry Field Marking Colours (see Appendix 1 of the Forest Practices Code) are in general use, the Protocol is not obligatory, so the marking to apply in any instance should be stated in the FPP. Boundaries that are obvious such as a plantation/pasture edge do not, of course, need to be marked. Marking is usually by attaching flagging tape along the boundary at intervals. The interval between each tape should depend on the overall visibility and is a matter of individual judgment. In forests with dense understoreys (generally wetter forests) or where machine falling is being undertaken a shorter interval between tapes will be appropriate. Where felling machines are to be used near a boundary, it is preferable to hang tapes as high as possible to assist the operator locate them. In open forest a longer interval can be used. A minimum of 2 – 3 tapes should be visible, forward and back, along the boundary from any other tape. Corners and intersecting boundaries should be clearly identified by the use of multiple pieces of tape at the point of change of direction.

More secure systems of boundary marking should be used where there are concerns about the removal or re-location of flagging tape by unauthorised persons. For example, boundary trees may be marked by paint, blazing or branding, provided that care is taken not to unduly damage trees intended for retention.

All boundaries should be marked before operations commence under a FPP. Where this is not possible and an operation commences before all of the boundaries have been marked, it is suggested that the supervising FPO keeps a file record, including a map indicating the section of boundary marked to date, and makes contractors aware of which boundaries have been marked. The contractor should be directed to operate only in areas where boundaries have been marked, and to obtain clearance from the FPO before moving to another section. If considered necessary, the restriction on the initial operating area can be written into the FPP, or into a variation. Supervising FPOs should also ensure that this information is passed on to any other supervisor that will be involved with the operation.

All contractors should be fully briefed on boundaries and their marking, and on the reason for the related provisions in the FPP (e.g. requirements for falling adjoining wildlife habitat strips). It is preferred that contractors and their crews walk each section of their boundaries before harvesting up to them. Where boundaries are marked around sites of significance (e.g. cultural heritage, threatened species etc.), contractors and their crews should be shown these boundaries and walk them prior to commencing operations in that area.

Powers of Forest Practices Officers to enter land to inspect forest practices

Under section 40 of the *Forest Practices Act* a Forest Practices Officer, on production of his or her warrant of authorisation, may at any reasonable time and with such assistants as he or she considers necessary:

- enter and remain on any land on which forest practices are being carried out, or on which he or she believes have been carried out, to ensure compliance with any FPP and the Act;

- enter and remain on any private timber reserve to ensure it is being used for establishing forest, or growing or harvesting timber, or other forest practices;
- ask any person associated with the forest practices to produce documents relating to the forest practices, and answer any questions relating to the forest practices.

FPOs should use their discretion in using these powers. If an FPO observes forest practices being carried out (e.g. while driving around), and believes them to be in contravention of the Code, or that they are being undertaken without a FPP, the FPO has a duty to at least report the matter to the Forest Practices Authority. If machinery is working and appears to be causing environmental damage the FPO should act to stop the activity if it is a “forest practice”. In this case the FPO should approach the person in charge and:

- politely inform them that they are an FPO with responsibilities under the Forest Practices Act, showing them their warrant of authorisation;
- ask them if they have an FPP for the operation;
- if there is no FPP (and the operations appear to be in excess of the exemptions under the Regulations):
 - direct them to cease operations (preferably issue a section 41 notice), explaining that they are likely to be in breach of the Forest Practices Act by undertaking the activity, and inform them that the matter will be reported to the FPA;
 - obtain the name and contact details of the person in charge, and the landowner;
 - advise the Forest Practices Authority as soon as possible so that it can conduct a more detailed investigation;
- if there is an FPP:
 - ask to see the FPP;
 - ask if there is an FPO or company supervisor responsible for the operation;
 - direct the person in charge to stop operations/make good (as appropriate) if immediate environmental damage is occurring, issuing a section 41 notice if considered appropriate, and advise the FPO who normally supervises the contractor as a courtesy;
 - if immediate environmental damage is not occurring, report the matter to the responsible FPO who can initiate any action necessary.

Before exercising these powers it is advisable that FPOs familiarise themselves with section 40 of the Act or obtain advice on the correct approach from the FPA.

Reporting of breaches

This section refers to breaches of the *Forest Practices Act*, including breaches of Forest Practices Plans and the Forest Practices Code.

What types of breaches should be reported to the FPA?

The Forest Practices Authority becomes aware of breaches in a number of ways, including public complaints, the issue of Section 41 notices and the return of completed Certificates of Compliance by FPOs. However, as discussed below, serious breaches must be reported to the

FPA as soon as possible after they are detected, rather than at the time of completion of the Certificate of Compliance.

Minor breaches

FPOs should exercise discretion as to whether minor breaches should be immediately reported to the Forest Practices Authority (noting that they must be reported later through Certificates of Compliance). Minor breaches that will be remedied through restoration do not need to be reported to the FPA (e.g. snig tracks that require additional grips). Other minor breaches should be recorded through internal mechanisms such as incident reports, and be reported later to the FPA through Certificates of Compliance. Examples of minor breaches are given under the category “B1 – No further action” - see ***Explanatory notes for completion of Certificate of Compliance forms***. All FPOs should maintain a transparent record of any minor breaches detected, and the action taken to correct and report the breach. Contact the FPA if in any doubt.

Serious breaches

Serious breaches must be reported to the Forest Practices Authority as soon as possible after they are detected. Most of the breaches that the FPA would consider to be in this category are actions that reflect a major systems error or environmental damage that cannot be remedied by corrective action. These include, but are not limited to:

- undertaking forest practices without a FPP;
- operating (harvesting, site preparation, herbicide spraying etc.) outside a marked boundary or within a streamside reserve or other informal reserve;
- constructing roads that do not comply with Forest Practices Code standards;
- operating machinery within 10 m of a Class 4 watercourse or swamp;
- use of unauthorised crossings over a watercourse;
- operating outside the wet weather provisions in the Forest Practices Code, resulting in serious environmental damage;
- spraying chemicals into waterbodies or onto another property;
- failure to notify local government or neighbours of impending operations under a FPP;
- ignoring or contravening prescriptions in an FPP that relate to natural or cultural values;
- offering tree ferns for sale without tags;
- any breaches where serious environmental damage is considered to have occurred;
- any breaches for which a written s. 41(1) notice is given. (Copies of notices must be sent to the FPA by FPOs as part of normal procedures);
- repeated instances of lesser breaches by a contractor after the FPO has given warnings.

If a detailed report regarding a serious breach cannot be provided quickly, brief details should be sent as soon as possible after the incident has been detected, with a more detailed report following. Reports should provide sufficient details (generally one or two pages) of the actual

alleged breach and follow up corrective action taken. The sort of information that provides a good picture of the incident to the FPA includes:

Aspect to be reported	Details required
When and where occurred	Date incident occurred, FPP No., copy of the relevant parts of the FPP, and a map or sketch indicating the location of the alleged breach
How detected	e.g. detected during FPO audit; notified by contractor
When and who inspected	Date FPO inspected alleged breach; names of people present when the alleged breach was inspected on the ground
Details of alleged breach	<ul style="list-style-type: none"> – What part of the Act/Code/FPP has been breached? – Date (if known) when occurred – Person(s) responsible – How did it occur? (describe what happened) – Why did it occur? (e.g. because the operator had not seen the FPP map and was not briefed) – Degree of environmental damage
Corrective actions	<ul style="list-style-type: none"> – Details of restoration work necessary or undertaken – Measures to minimise the risk of future breaches, e.g. specific operator training, improved communication

When serious breaches are reported through Section 41 notices or Certificates of Compliance, it may be necessary to provide a supplementary report to the Forest Practices Authority to ensure that all the aspects above are covered. In all instances the FPA places a strong emphasis on corrective actions that will avert future breaches. The Forest Practices Authority will conduct its own investigation of serious breaches reported by FPOs. The FPO will sometimes be requested to accompany a Forest Practices Authority officer on a field investigation of the alleged breach.

What to do when it is anticipated that there will be breach of a Forest Practices Plan

Occasionally an FPO will become aware that it is likely that a breach of an FPP will occur; e.g. the FPO suspects that a contractor will continue operating after rain causes the wet weather provisions to be exceeded. Normally the FPO should caution the person responsible that it is an offence under section 21 of the *Forest Practices Act* to contravene the provisions of a certified plan.

In some circumstances it will be more appropriate to contact the Forest Practices Authority and seek advice. An example would be where one party cannot fulfil their obligations under a plan because of the action (or lack of action) of another party. An example is where reforestation cannot be achieved because a contractor has abandoned a coupe after harvesting only part of the coupe. (This is discussed further under *What to do when reforestation cannot be achieved before the Forest Practices Plan expires* above.)

Section 41 notices

It is not necessary to issue a section 41 notice for a breach unless the situation calls for a notice in the opinion of the FPO. The purpose of Section 41 notices is to **require corrective**

action to comply with a plan, e.g. to undertake restoration, or stop operations due to wet conditions. Section 41 notices are not intended as purely reporting mechanisms to the FPA.

For details regarding issue of section 41 notices see *Section 41 notices*.

Dealing with the public

Handling of complaints – Investigations register

The Forest Practices Authority investigates all complaints relating to alleged breaches of the Act or poor practice, and records these on its Investigations Register. The FPA believes that under the principle of self-regulation, all parties have a responsibility to respond to complaints. Wherever possible, the FPA asks Forest Practices Officers to investigate alleged breaches and deal with public complaints. Formal investigations by the FPA, in consultation with the Director of Public Prosecutions, are undertaken into all serious breaches.

The Annual Report provides a summary of investigations by the FPA resulting from complaints received from the public and breaches reported by Forest Practices Officers.

Communication of information contained within Forest Practices Plans

The *Policy on Communication of Information contained within Forest Practices Plans (Notice of Intent)* is intended to provide information to neighbours on proposed forest practices. By providing information neighbours' concerns may be addressed and resolved in a co-operative manner. Inquiries are often received from neighbours following delivery of the Notice of Intent.

Good Neighbour Charter

Many complaints received by the Forest Practices Authority do not relate directly to forest practices under its control. The FPA believes that the *Good Neighbour Charter* is the appropriate dispute resolution device for dealing with discretionary matters, and supports those sectors of the forest industry that have made commitments to implement this approach.

Certificates of Compliance

See also *Monitoring and auditing of Forest Practices Plans*.

Note: This set of instructions on Certificates of Compliance replaces the following instructions issued by the CFPO:

Instruction	Date issued
Certificates of Compliance (Admin. Instruction 00/01)	24 March 2000
Certification of Compliance	18 December 2000
Reporting of compliance with Forest Practices Plans under s. 25A of the <i>Forest Practices Act</i>	7 December 2001

Summary:

- **The Certificate of Compliance process is designed to ensure that regular monitoring and auditing of operations under FPPs takes place.**
- **Discrete operational phases are forest practices specifically identified in a FPP, e.g. road construction, timber harvesting, forest establishment.**
- **The applicant is responsible for ensuring that Certificates of Compliance are**

lodged with the FPA.

- **A Certificate of Compliance will be required for each discrete operational phase for all plans certified on or after [date to be advised]. A Certificate of Compliance can be lodged at any time after completion of that discrete operational phase, but must be lodged within 30 days after the completion of that discrete operational phase. The FPP should be varied if necessary to extend the completion date for the discrete operational phase.**
- **A final Certificate of Compliance can be lodged at any time after completion of operations, but must be lodged within 30 days of expiry of an FPP.**
- **If all operations have been completed a Certificate of Compliance can be completed and lodged before the expiry of an FPP, but any non-compliances should be rectified first.**
- **An FPP should be varied if necessary to extend the completion date, rather than being allowed to expire before operations (including reforestation assessment) have been completed.**
- **Any remedial work identified in the final Certificate of Compliance should be undertaken even if the FPP has expired.**
- **FPOs should use a checklist when they carry out their compliance check.**
- **FPOs can sign a Certificate of Compliance for a plan where someone else has done the compliance audit.**
- **Information on any changes to the area and type of forest communities within the plan must be provided with the Certificate of Compliance.**
- **Explanatory notes are provided on how to complete the Certificate of Compliance forms.**
- **Certificates of Compliance can be lodged electronically over the FPA web site.**

What is the purpose of a Certificate of Compliance?

Certificate of Compliance forms are completed by FPOs and submitted to the Forest Practices Authority, and report the degree of compliance of operations with a FPP. The purpose of this process is to ensure that operations under a FPP are regularly monitored and audited. The FPA believes that operations should be monitored at least on a monthly basis. The Certificate of Compliance process ensures that a compliance check is undertaken at least at the completion of each discrete operational phase for FPPs certified after [date to be advised] and at expiry of FPPs.

The Certificates must be in a form approved by the Forest Practices Authority. The approved forms require certification by a Forest Practices Officer (see *Who can sign the Certificate of Compliance?*). Arrangements and responsibilities for supervising operations and ensuring compliance should, of course, be sorted out well before the commencement of operations. In this way, the preparation of Certificates of Compliance at the completion of each discrete operational phase should be straightforward “report cards” and not a new and onerous responsibility for any party.

What are discrete operational phases?

The *Forest Practices Act* was amended in 2005 to include provision under section 18 for discrete operational phases to be identified in FPPs. A discrete operational phase is defined under section 3 of the Act as “of a forest practices plan, means a forest practice or part of a

forest practice that is specifically identified in the plan as constituting a discrete operational phase, stage or component of the plan”.

The Forest Practices Authority has determined that the following discrete operational phases will be identified in FPPs certified on or after [date to be advised]:

- road construction;
- tree fern harvesting;
- timber harvesting;
- forest establishment;
- reforestation assessment;
- tree clearing;
- quarry operation.

The discrete operational phases applying to a particular FPP are identified at the top of the cover page, with the completion date for each discrete operational phase stated near the bottom of the cover page.

Responsibility for lodgement of Certificates of Compliance

The *Forest Practices Act* provides that it is the **responsibility of the applicant** to lodge Certificates of Compliance. Where an individual has signed as applicant on behalf of a company the Forest Practices Authority would regard the company as responsible for lodging the Certificates of Compliance provided that the individual has clearly signed on behalf of the company.

When must Certificates of Compliance for discrete operational phases be lodged?

This section will apply to all FPPs certified from [date to be advised].

There will be up to seven discrete operational phases under a FPP, as listed near the bottom of the FPP cover page: road construction, tree fern harvesting, timber harvesting, forest establishment, reforestation assessment, tree clearing, and quarry operation. For each discrete operational phase that is applicable to the particular FPP there will be a date recorded near the bottom of the FPP cover page under “Estimated completion date for:.....”

A Certificate of Compliance **must be lodged within 30 days after the completion of each discrete operational phase, or within 30 days after the estimated completion date for that discrete operational phase**, whichever is the earlier.

Can a Certificate of Compliance be lodged prior to the completion date for the discrete operational phase in the Forest Practices Plan?

This section will apply to all FPPs certified from [date to be advised].

FPOs do not have to wait until the completion date for a discrete operational phase has been reached before lodging a Certificate of Compliance for that discrete operational phase. The Certificate could be prepared and lodged on the day that operations under that discrete operational phase are completed. In any case, an Certificate must be lodged within 30 days after the completion of that discrete operational phase. Two or more discrete operational phases could potentially be reported on in the one Certificate of Compliance.

What should an FPO do if operations under a discrete operational phase will not be completed before the completion date for that phase in the FPP?

The plan should be varied to change the expiry date for the particular discrete operational phases(s) if considered reasonable.

When must the final Certificate of Compliance be lodged?

Note: The first two paragraphs of this section will apply from [date to be advised].

By the final Certificate of Compliance is meant the Certificate for the last discrete operational phase (usually reforestation assessment) under a plan.

The period of a plan is the date range between the “Commencement date for forest practices” and “Estimated completion date for forest practices” on the cover sheet of the plan. The period must encompass all the discrete operational phases of the plan, including forest establishment and reforestation assessment where appropriate.

The **estimated completion date** is the final date that you expect all operations to have been completed and all provisions in the plan to have been complied with, including any that relate to restoration and reforestation assessment standards. **The Certificate of Compliance must be lodged within 30 days of this expiry (estimated completion) date.** However, it can be lodged any time after activities under the plan have been completed. See also the section immediately below.

Can a final Certificate of Compliance be lodged prior to the expiry of a Forest Practices Plan?

FPOs do not have to wait until expiry of a FPP before completing a final Certificate of Compliance. The Certificate can be completed as soon as operations under a FPP are completed (normally after a survey indicates satisfactory stocking for reforestation for most plans).

However, if an audit undertaken for a final Certificate of Compliance indicates non-compliances requiring remedial work, the issue of the final Certificate of Compliance should be delayed until the work has been carried out (subject of course to the deadline for lodgement of the final Certificate of Compliance not being exceeded). The important thing to remember about Certificates of Compliance is that they are intended to ensure that any non-compliances are detected and rectified in a timely manner (preferably whilst equipment is on site to carry out any corrective actions). Compliance checks should be done progressively and not left until it is too late to take corrective action.

What should an FPO do if a FPP is about to expire before operations under the plan have been completed?

If expiry of a plan is imminent but all the requirements under the FPP have not been completed, e.g. stocking survey, post-operation archaeological survey, the plan should be extended by variation. The Forest Practices Authority obviously would prefer to see full compliance reported at the termination of FPPs where this can be achieved.

See also *What to do when reforestation cannot be achieved before the Forest Practices Plan expires.*

Can remedial work identified in a final Certificate of Compliance be undertaken if the Forest Practices Plan has expired?

Yes, but this situation should be avoided by identifying and rectifying non-compliances progressively. The FPO should issue a section 41 notice to cover such circumstances, as the

contractor will be required to move back onto the site to conduct the remedial work. The *Forest Practices Act* provides that a section 41 notice may be issued up to 12 months after the expiry of a FPP.

Completion of the Certificate of Compliance forms

In making the certification, a Forest Practices Officer must ensure that all provisions of the FPP have been complied with. There is no standard checklist for this, as plans are quite variable in content. Some organisations may already have checklists in place as part of their environmental management system. For those who don't already have a checklist, the relevant parts of the Forest Practices Authorities audit form could provide a useful checklist for the purposes of compliance certification. Please note that the FPA only requires a copy of the certificate of compliance and does not require a copy of your checklist. However, you should retain a copy of your checklist and any other documentation in the event that your plan is selected as part of the independent audit process.

Who can sign the Certificate of Compliance?

It is not essential that an FPO undertake the audits that form the source material for the Certificates of Compliance. However an FPO completing (signing) a Certificate of Compliance where another person has audited the operations must have confidence that the person undertaking the audit was competent and had sufficient knowledge of the Forest Practices Code. Any FPO (Planning or Inspecting) can sign the Certificate of Compliance. Copies of audits that are used as the source material for a Certificate of Compliance should be retained on the coupe file.

Changes to RFA communities

It is also important to remember that the Certificate of Compliance requires information to be provided if there have been any changes to the forest communities harvested or regenerated. This information is required so that the Forest Practices Authority can monitor any changes in the native forest estate, as required under the Regional Forest Agreement. Any changes to forest communities should be shown by revising the table of RFA communities that appears on the cover sheet of the Forest Practices Plan (see the form).

Explanatory notes for completion of the Certificate of Compliance forms

Note: Certificates of Compliance will be required at the completion of each discrete operational phase for FPPs certified from [date to be advised]. This section will be modified to include instructions on the completion of Certificates of Compliance in the near future.

Category	Comments
A – complied with the provisions of the FPP	<p>The FPP (including the Code) has been fully or very substantially complied with.</p> <p>A few very minor non-compliances that are not considered to have any significant adverse effect on natural or cultural values are permitted in this category, e.g.:</p> <ul style="list-style-type: none"> • a culvert on a road is located a few metres further from the previous culvert than the specified

	<p>distance;</p> <ul style="list-style-type: none"> • not all grips on snig tracks will be fully effective; • there are slight differences between the plantation boundary indicated on the FPP map and the actual boundary (provided not compromising the boundary of a formal or informal reserve in any way).
<p>B – not complied with the provisions of the FPP</p>	
<p>1. No further action</p>	<p>The non-compliances are of a relatively minor nature and either remedial action cannot rectify the non-compliance or remedial action is not considered necessary as a significant effect on natural or cultural values is not anticipated, e.g.:</p> <ul style="list-style-type: none"> • road clearing width has not consistently been minimised through streamside reserves or wildlife habitat strips; • harvesting has not occurred over the whole area indicated in the FPP; • harvesting machinery has intruded 2 metres into a Class 4 machinery exclusion zone at one location, but no environmental damage has resulted; • a landing has slightly exceeded the Code area requirements; • a partial harvesting prescription has been poorly followed on part of a coupe; • windrow separation from streamside vegetation has been in some places less than specified in the Code, contributing to some burning of streamside vegetation. <p>The FPO should make recommendations to relevant parties to ensure better outcomes in the future, e.g. training, alternative provisions in the FPP.</p>
<p>2. Further action required – section 41(1) notice issued</p>	<p>The non-compliance(s) are significant and require rectification through a section 41 notice. It is not considered that investigation and action by the FPA will be necessary provided the notice is complied with, e.g.: notice issued to:</p> <ul style="list-style-type: none"> • place additional culverts along new road construction, • complete restoration work, • remove temporary log crossings, • remove rubbish

	The FPO should subsequently report to the FPA on compliance with the s.41 notice.
3. Further investigation and action recommended	<p>The non-compliance(s) are significant and warrant investigation by the FPA. Generally these non-compliances are serious and/or cannot be fixed by remedial action through issue of a section 41 notice, e.g.:</p> <ul style="list-style-type: none"> • a road has been constructed for a considerable length parallel to a stream and in a different location to that shown on the FPP map; • harvesting trees within a reserve marked off with flagging tape; • soil cultivation during very wet conditions causing severe soil damage and stream siltation; • complete clearing of class 4 machinery exclusion zones.
Brief details of non-compliance	<p>Describe the non-compliance(s). Additional pages may be added. For category B3 a report should be provided to the FPA with particulars including responsible parties, how the non-compliance occurred, any actions taken by the FPO etc.</p> <p>Please add appropriate explanatory notes even if A - <i>complied with the provisions of the FPP</i> has been selected. e.g. An operation that wasn't proceeded with would be entered as A complied, note would be "Property owner decided not to harvest FPP expiry date brought forward. Tenure and harvest areas and future land use areas in table would need to be adjusted to show zero change to RFA communities.</p>
Database changes	See paragraph immediately above this table.

Electronic lodgement of Certificates of Compliance

As an alternative to sending paper copies, Certificates of Compliance for FPPs can be lodged directly over the Internet via the Forest Practices Authority web page <http://www.fpb.tas.gov.au>. All FPOs will have access to the Certification of Compliance site. This is the preferred method of lodgment.

Once into the FPA web site follow the instructions below to lodge a Certificate of Compliance.

Select: "Services For Forest Practices Officers"

Select: "Forest Practices Authority Online Services"

Log On: The user initials are your 3 letter initials as used for FPP

FPA 6/05

number. For new users the password is the same as your user initials. It is strongly recommended that you change your password after your first log in. Please do not log on behalf of other people.

Select: FPP Certification of Compliance

Enter: FPP Number

Certification of
Compliance
Form:

- The FPO box should have your initials otherwise select your name from the drop down menu.
- Select A complied or B not complied and 1 or 2 or 3 re further action (see the table above for completion of the boxed sections of the form).
- Check the forest community/land use table and make changes that reflect the final outcome. i.e. include changes which resulted from variations. Please exercise care as changes to the table change the FPP database, from which the FPA reports on changes to the native forest estate. Only after checking the forest community table is correct select submit.

You will not be able to correct the Certificate of Compliance once it is submitted.