Forest Practices Authority Board Policy

Delegation of Certification and Variation Decisions under Part D4A of the Forest Practices Code.

Delegation powers of the Forest Practices Authority

- The Forest Practices Authority (the Authority) may delegate its functions or powers in accordance with section 43 of the *Forest Practices Act 1985* (the Act).

Purpose of this Policy

- This Policy establishes the Authority's approach to delegating certification and variation decisions on Forest Practices Plans (FPPs) to which Part D4A of the Forest Practices Code (the Code) applies, including the circumstances in which decisions involving a Residual Significant Impact on a Relevant Protected Matter are reserved to the Authority or by persons directly employed or engaged by the Authority.

Principle

- Decisions involving a Residual Significant Impact on a Relevant Protected Matter are of heightened environmental significance because they require consideration of offsets and must pass the net gain test under Part D4A of the Code.

- The Authority will retain direct responsibility for these decisions by limiting delegations in accordance with this Policy, to support consistent, transparent and accountable decision-making.

Decisions involving Residual Significant Impacts

- Decisions to certify an FPP, vary an FPP, or approve a variation to an FPP that has a Residual Significant Impact on a Relevant Protected Matter under Part D4A of the Code will only be made by:
  - the Authority; or
  - by a person directly employed or engaged by the Authority acting under a delegation granted by the Authority.

Delegations

- The Authority is responsible for the exercise and performance of its functions and powers under the Act.

- The Authority may delegate its functions and powers under Division 1 of Part III of the Act to a person whom it considers suitably qualified, subject to any conditions specified in the instrument of delegation.

- A person may only exercise a delegated function under Part D4A of the Code where they meet and maintain the competency and training requirements set by the Authority.

- Where a delegate is not a person directly employed or engaged by the Authority, the instrument of delegation must provide that the delegation does not extend to the certification of an FPP, variation of an FPP, or approval of a variation to an FPP, where there is a Residual Significant Impact on a Relevant Protected Matter.

Definitions

- Relevant Protected Matter, Residual Significant Impact and other terms defined in Part D4A of the Code have the same meaning in this Policy.

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