

Reducing impact on forest stakeholders

'Partnership' is the key word in Tasmania's approach to forest practice regulation

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TASMANIA—an island state of Australia—has 3.4 million hectares of forest, of which 39% is in formal reserves, 30% is available as public multiple-use forest and 31% is privately owned. The state's forest practices system began in 1985 with the introduction of the Forest Practices Act. The objective of the Act is "to achieve sustainable management of Crown and private forests".

Forest regulation

Forests themselves tend to be remarkably well behaved; forest regulation is primarily concerned with regulating *human* behaviour. The attitudes and behaviour of governments, industry, landowners, communities and other stakeholders determine the effectiveness and efficiency of regulatory regimes.

The choice of a regulatory regime depends on the interplay of factors such as: social attitudes; the proportion of operations within the public and private sectors; the type of forest operations; institutional arrangements within government; and the availability of skills and resources in both the government and private sectors. In many jurisdictions, an emphasis on government regulation and litigation has led to an increasing spiral of tightening regulations. Such processes impose considerable costs on both industry and government and often result in systems that only achieve the minimum standards necessary to avoid penalties, rather than the pursuit of excellence. In contrast, a more self-regulatory approach with appropriate safeguards can avoid unnecessary bureaucratic costs, provide greater flexibility and autonomy for industry, and deliver improved environmental performance.

Tasmania's regulatory regime can be described as one of self-regulation by the forest sector, with oversight and independent enforcement by the government through a Forest Practices Board established under the Act. The membership of the Board comprises expertise and experience in the management of public and private forests, forest harvesting, local government and environmental management. The system is based on a philosophy of cooperation, which is achieved through the development of partnerships.

Key partnerships

Partnership between government and private landowners

The Board fosters a partnership between government and private landowners that recognises the rights of landowners and provides benefits in terms of resource security and streamlined approval processes. In return, private landowners agree to comply with the legally enforceable Forest Practices Code. The partnership also recognises the principle of 'duty of care', through which landowners have agreed to reserve land from logging, up to prescribed thresholds, in order to protect natural and cultural values. The reservation of land beyond the thresholds is deemed to be for community benefit and on this basis is subject to voluntary arrangements or the payment of compensation.

Partnership between government and the forest industry

This partnership recognises that all parties have a collective responsibility to ensure that forestry operations are properly

planned and conducted. Foresters employed by industry can be appointed under the Forest Practices Act as forest practices officers. These officers have a statutory responsibility to plan and supervise their operations to ensure compliance with the requirements of the Act and Code. In return, forest practices officers may be given the power to approve plans. To support these officers, the industry funds a research and advisory program within the Forest Practices Board, which conducts research and provides specialist advice to the officers in the areas of botany, zoology, soils, water, geomorphology, cultural heritage and visual landscape quality.

Partnerships between government agencies

In Tasmania we have tried to overcome the traditional adversarial relationship between 'production' and 'conservation' agencies by fostering a partnership approach. A good example of this relates to the management of threatened species within wood production forests. A streamlined, efficient process has been developed that allows forest practices officers to make scientifically validated decisions on routine matters with a minimum of bureaucracy. In return for this benefit, the industry is prepared to fund further research as part of a program of continuing improvement.

Partnerships between the forest industry and the rural community

The forest industry has developed a Good Neighbour Charter, in partnership with the main representative body of the rural sector, to address concerns that may arise with neighbours as a result of forestry operations. We have found that direct consultation with neighbours generally leads to a more pragmatic and reasonable outcome than might result from a more bureaucratic or adversarial approach.

Comment

Striving for sustainable forest management can place increasingly onerous demands on the resources and skills that are available within both the governmental and private sectors. The regulation of forest practices in Tasmania involves a large number of landowners and forest companies. Neither the government nor the majority of forest companies has, in isolation, the resources to deliver best-practice forestry across all sectors in an effective and efficient manner. Collectively, partnership arrangements have facilitated the development of a progressive forest practices system through the sharing of resources and responsibilities.

Compliance with codes of forest practice can be achieved through either a cooperative or adversarial approach. Partnerships by their nature require a cooperative approach that achieves mutually agreeable outcomes. The continuing challenge for Tasmania's forest practices system is to maintain a spirit of cooperation and to avoid regulatory changes that would lead to a more adversarial and punitive system. This means a commitment at all levels to the maintenance and further development of partnerships among all key stakeholders.