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# A long and winding road: the regulation of private native forestry in New South Wales, Australia

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## A long and winding road: the regulation of private native forestry in New South Wales, Australia

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This special issue of *Small-Scale Forestry* is concerned with Private Native Forestry in New South Wales (NSW), Australia. Private native forests comprise indigenous species in a semi-natural formation on privately-owned land. Such forests are usually uneven-aged, and regenerated naturally rather than by sowing or planting. These forests are of major conservation and commercial importance in NSW, covering 8 M ha and comprising one-third of all native forest in the state (Thompson 2007). The management and harvesting of these forests is known as private native forestry (PNF), and has been the focus of public attention for several years, as the desirability and implications of regulating these activities has been debated.

Codes of forest practice have been instituted in many countries, especially during the period 1988-1996 (Dykstra and Heinrich 1996a, Turnbull and Vanclay 1999). Environmental guidelines for forest harvesting in Australian forests were published in 1979 (Cameron and Henderson 1979) and throughout the 1980s most Australian States developed codes of forest practices, principally directed at logging or harvesting in public forests (McCormack 1996). In the *FAO model code of forest harvesting practice*, Dykstra and Heinrich (1996b) emphasized the need for an open and participatory process involving all stakeholders including technical experts as well as those depending on the sustainability of forest resources. They also warned of the danger of making codes overly prescriptive, making it difficult for practitioners to react to changing conditions or to new knowledge about ecosystem function. Sadly, these lessons do not have been heeded as the attention of regulators has broadened to encompass other forest operations and tenures.

This issue of *Small-Scale Forestry* contains a series of papers related to the introduction of a code of practice for private native forestry in NSW. On 25 July 2006, the Department of Natural Resources released for public exhibition a draft Code of Practice for Private Native Forestry. The draft code attracted much criticism from both conservation and utilization-oriented critics. When the Department received over 1500 submissions, the Minister intervened, withdrawing the draft code, and referring the matter to his Natural Resource Advisory Council with instructions to prepare a new code. This was not a good outcome for a process that was intended to be participatory, and that had consumed several years and several million dollars. At the time of writing (April 2007), this new code had not yet been published.

Some participants in the process leading to the draft code have observed that negotiations were dominated by dogma and by entrenched positions of stakeholder groups, rather than by an informed understanding of the natural dynamics of native forests. An informal discussion of these concerns about the negotiation process, provided the stimulus for this special issue, which is intended to inform and assist future debate about effective ways to foster good husbandry of private native forests.

Many people contributed to the special issue; some as authors, some as referees<sup>1</sup>, and others as sources of information and inspiration. The authors have diverse experience of forestry in NSW and elsewhere, as consultants, educators, foresters, landholders, researchers and students. Three of the authors are members of the Southern Cross Group of Forest Researchers and Practitioners, a group lobbying for stewardship support to foster better land husbandry (Vanclay 2006, Vanclay et al. 2006). Four authors participated in a recent research project on 'Assessing the Sustainability of Private Native Forestry' (Thompson et al. 2006), funded by the Australian Government's Joint Venture Agroforestry Program. All but one of the authors are affiliated with one of two universities, Charles Sturt University in Albury (southern NSW) or Southern Cross University in Lismore (North-eastern NSW).

A wide range of issues are canvassed in this special issue. A member of the PNF Code Development Committee provides an overview of the recent history of attempts to regulate PNF in NSW and offers an insiders view of the negotiation process and the difficulties in reaching a consensus (Nichols 2007). Thompson (2007) explores the socio-economic context of private native forestry in the region, and Aenishaenslin et al. (2007) contrasts the draft NSW code with comparable initiatives in other Australian States. An extensive inventory of private native forests in north-eastern NSW (Jay et al. 2007) reveals that many forests are overstocked and that silvicultural intervention is the best way to provide the large trees desired by both commercial and conservation interests. Vanclay (2007a) considers how best to foster good land husbandry, and examines community attitudes to private native forestry and PNF policies (Vanclay 2007b). These papers complement other material presenting a different perspective on the same issues (e.g. Flint et al. 2004, Prest 2003). It is hoped that these papers in this special issue will contribute towards a richer and more productive debate about private native forest regulation in NSW and elsewhere.

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