

Please attach the following **one-page summary** to your submission.

Comments on the Interim Report for the Independent Review of the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*

Summary

Name of author/organisation:

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Bruny Island Primary Industry Branch of Timber Communities Australia**

Date:

30 July 2009

Which chapter(s) of the interim report are you commenting on?

Chapter 6 forestry

Key points of submission

Conclusions reached by the reviewer appear based on submissions from green lobbyists, rather than the general community or independent assessment of forest management.

Such an assessment that is ignored is the United Nations In Search of Excellence finding for Forestry Tasmania's Huon Forest district that encompasses Bruny Island that is rich in timber heritage.

The FAO finding of openness and transparency and the involvement of the community effectively demonstrates there is no need for the draconian proposals to involve the Commonwealth in monitoring and managing an unwieldy public involvement process.

References (if possible, include a bibliography of any documents you may wish to make available)

Forestry Tasmania Sustainable Forest Management Report 2008

FAO 2005 *In search of excellence: exemplary forest management in Asia and the Pacific* <http://www.fao.org/docrep/007/ae542e/ae542e00.HTM>

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30 July 2009

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Comments on the Interim Report for the Independent Review of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The Bruny Island Primary Industry Branch is a community group of citizens and primary industry producers on Bruny Island. It is affiliated with the nationwide Timber Communities Australia network and exists to address and coordinate community aspirations and concerns and to promote sustainable economic development of our natural resources and primary industries.

The group has been successful in brokering partnerships between levels of government, industry and community groups to address issues confronting its members and in holding an annual Easter Carnival and woodchop for the last 4 years.

Primary industry interests of members include Cattle, Sheep; fine wool and meat produce, timber harvesting, local sawmilling, private forest management and firewood. Aquaculture oyster and salmon, small fruits, orchards and cherries, fishing and dairy

According to the State Department of Primary Industry there are 71 registered primary industry properties on the island. Members are also involved in the tourism sector and as community participants have a strong interest in education, health and infrastructure services for Bruny Island. The majority of members are from the Island's permanent population of 600, however many have friends and relatives that holiday or are shack owners on Bruny. The population surges to over 5,000 during the peak summer months.

Executive Summary

Like most Australia members seek to use natural resources sustainably and to conserve our environment as we produce for our community and economy. We believe that a balance needs to be struck between conservation and development and that landowners have a responsibility to ensure the sustainability of their development. However we do

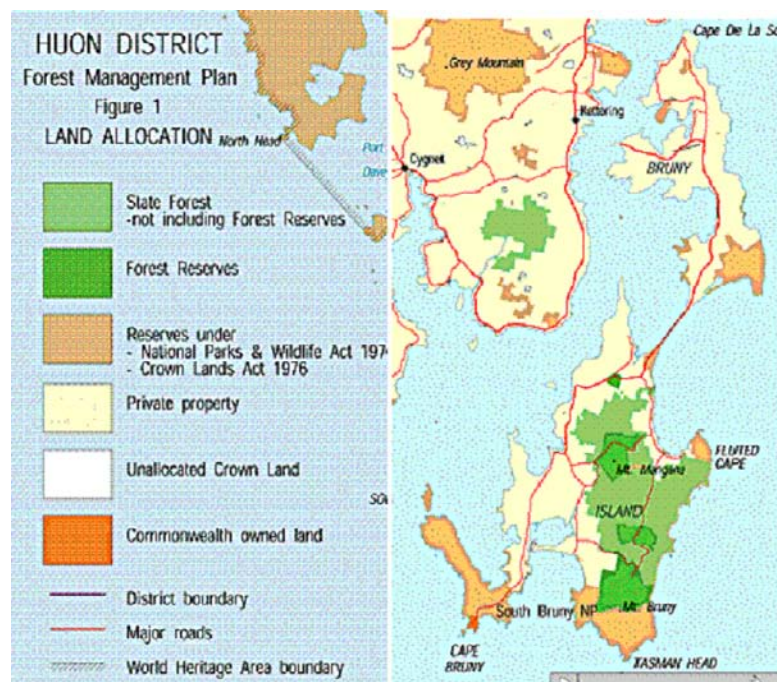
not agree with a heavy handed government approach including threats of remedial action to impose the views of minority groups on the majority.

From reading the Way forward section in Chapter 6, we fear that this is the likely scenario if the interim report is not changed. We therefore make the following comments upon each observation.

Timber Harvesting on Bruny Island has been an important industry since the early 1800s. The timber heritage is recorded on the reverse side of Australia's 20 pound note:



Of the 35,300 ha of land on Bruny Island, 27% is State forest, 20% is reserves managed by the Parks service and 53% is privately owned. Of the State forest, over half is within Informal or formal reserves and 48% (4,600 ha) is within the Production Zone.



Forestry Tasmania management plan restricts the rate of harvesting so that it will not increase beyond an average rate of 3 trucks per day (excludes weekends and public holidays) so as to avoid any adverse impact on roads or the ferry service.

Despite the management plan, the clearfelling of the 15 hectare coupe near Adventure Bay generated a number of complaints and a major public campaign against forestry on the island.

Forestry Tasmania's published Sustainable Forest Management reportⁱ records⁹

The majority of the complaints about forest management at specific locations related to a native forest harvesting operation that was planned for Bruny Island during 2007/08. In total 32 complaints were received, with the majority of these being from no more than four to five people.

Forestry - Way forward

6.113 This review is inclined to agree with the Senate Committee's finding that: Regional Forest Agreements have been a step forward in attempts to manage conflict over forest use in Australia, and have been a vehicle for advancing both knowledge of Australia's forest ecosystems, and management strategies for those forests.

The debate regarding forest management would be long gone if there was not the opportunity for political power as witnessed in the 2004 Federal Election or the fund raising success it brings to environmental political lobby groups.

To create extensive reserves that exceed international benchmarks and to report in an open and transparent manner against criteria for sustainable forest management is more than just a step forward. It a giant leap!

This statement also fails to consider the finding of the United Nations Food Agricultural Organisation (FAO) in Search of Excellenceⁱⁱ that concluded:

Forest management in Southern Tasmania has developed a detailed planning, monitoring, auditing and reporting system in response to international and national agreements and policies. It operates in a climate of widespread community debate and general dissatisfaction over the felling of old-growth forests. It is under intense scrutiny from environmental and other groups with very high expectations of what should - and can - be achieved. Although the context is often contentious, forest management generally proceeds in a clear, orderly and professional way.

This international finding of excellence in managing amidst conflict in the Huon District forests of Tasmania includes those on Bruny Island.

6.114 However, submissions to this review have raised real doubts about whether positive environmental outcomes are being achieved under RFAs. To this end, this review agrees with the Senate Committee's finding that there is a need to improve the transparency and accountability of forestry operations under RFAs and thus better assess the implementation of environmental protection under RFAs, consistent with the objects of the EPBC Act.

Whilst the articulate submissions of the well funded green lobby groups may have raised doubt; independent observation shows that there are positive outcomes from the RFA. On Bruny 20% of our land mass is now in a conservation reserve and almost half of the State forest excludes timber harvesting, this compares to a 10% international target. We

have also seen the 40 spotted pardalote, one of the Island birds, have extensive reserved habitat and substantial resources allocated to its recovery.

The FAO observed that the Tasmanian forestry planning system “has procedures for monitoring and reporting progress against its components at each of its four levels. For example, at the legal and policy level, the first five-yearly review of the Regional Forest Agreement has recently been completed. It found that most forest management issues are being satisfactorily addressed, and made only a few recommendations for issues where “further progress needs to be made.”

However, the political sensitivity of forest issues in an election year was such that the federal government stalled on responding to it, even months after it was completed.

6.115 RFA requirements for conservation actions in production forests need to be monitored, measured and reported on in a timely and accessible way. The Commonwealth should also retain a power to ‘turn off’ Division 4 of Part 4 of the EPBC Act in cases where there has been non-compliance with an RFA.

This chapter has also suggested other approaches for improving the transparency and operation of RFAs.

These include:

- *increasing independent scientific oversight;*
- *allowing greater Commonwealth oversight and capacity for compliance and enforcement; and*
- *enforcing the existing requirement of RFA reviews and strengthening performance audit arrangements.*

Forest operations and management outcomes are reported annually in Tasmania in an open and transparent manner by the private and public sector; they are also monitored by the Forest Practice authority that already includes scientists. There is already State based mechanisms for enforcement that for the vast majority of the community are working well. It seems unnecessary to create duplication at a Federal level, such as we have in education and health services.

Any scientist advising the Commonwealth must be free of association with lobby groups from either side of the debate. BIPIB members note that one of the scientific advisers to the independent reviewer is a member of the Wilderness Society’s WildCountry panel.

6.117 Another option for improving the accountability of RFA forestry operations may be increasing opportunities for public comments.

6.118 Strengthening public input and consultation would help the RFAs meet the vision of the NFPS that ‘forest management is effective and responsive to the community’.

The NFPS envisaged public input into developing criteria and in developing management plans, not having a say on each individual forest practices plan. Such a system would be unworkable creating significant expense and delay. Already there is a great many opportunities for comment in the review of the RFA and in the development of

management plans. The forest sector has a good neighbour charter and makes forest practices plans available for information.

These plans are prepared by professional and qualified foresters in consultation with experts in various fields. In Tasmania they are subject to the Forest Practice Code which is subject to periodic review where public consultation is invited.

Again the FAO observed:

Consultation is an essential part of good forest management and can be successful at the local scale. Steve Davis spends a lot of his time explaining forest management to community groups. A recent example of rerouting a historic walking track to the Hartz Mountains showed that face-to-face discussions could be helpful in finding acceptable compromises between production and conservation on a small local scale. More importantly, he demonstrates to community groups that forest management in Huon District is conducted in an honest and open manner, even if some people disagree with the forest policies that he implements

In the opinion of BIPIB members forest operations under the RFA and EPBC are conducted in an honest and open manner throughout the RFA regions. There is no need for the recommendations and threats to “turn off” the EPBC act, as outlined in this interim review.

Kind regards,

Keith Bill
President
BIPIB

End notes and references

ⁱ Forestry Tasmania Sustainable Forest Management Report 2008

ⁱⁱ FAO 2005 *In search of excellence: exemplary forest management in Asia and the Pacific*
<http://www.fao.org/docrep/007/ae542e/ae542e00.HTM>