

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:**

Liffey District Resource Management Group of Timber Communities Australia

**Contact details:**

Jarrold Burn

President

Liffey Ts 7301

**Date:**

Sunday, 2 August 2009

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

6 Forestry plus

The whole review

**Key points of submission**

1. The forestry chapter should be reconsidered in the light of the empirical evidence provided by the Tasmanian RFA 2<sup>nd</sup> five year review, that demonstrate significant environmental benefit.
2. The independent review should audit the nomination of the Tasmanian Lowland Grassland and its subsequent listing as critically endangered due to its “83%” loss.
3. The review should recommended the scrapping of bioregionalisation (IBRA) and revert to reporting on a State basis for RFA, EPBC act, threatened species and the national reserve system

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

1. *The Report on Implementation of the Tasmanian Regional Forest Agreement – 2002-07;*
2. *The Sustainability Indicators for Tasmanian Forests –2001-06*

**Confidentiality statement:**

Note that all submissions unless otherwise indicated will be published on this website. You MUST indicate on your submission if you wish for your submission not to be published. If you wish for your submission not to be published please mark your submission as 'Confidential'. You should note that even if your submission is not published, the title of your submission and the name of the submitting organisation or individual will be published on the web site. If you wish to not have your details published please contact the Secretariat before making a submission. Contact details from of individuals making submissions will be limited to name, suburb and State/Territory.

**Do you want this submission to be treated as confidential?**

(please state 'yes' or 'no') no

These comments contain personal information of a third party individuals. The third party individual **consents/does not consent** (*delete or strike out that which is not applicable*) to the publication of their information.



Liffey District Resource Management Group of Timber Communities Australia

Liffey  
Tas 7301

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

**FORESTRY**

This submission takes objection to the Reviews claim in Chapter 6 Forestry:

6.72 Once again, however, neither report provided any detailed empirical evidence on the implementation of RFAs and the extent to which the environmental objectives which these agreements are being achieved.

This claim whilst focused on the Council of Australian Government's State of the Forest Report and at the report of the monitoring mission on Tasmanian Wilderness World Heritage area is an example of the independent review's reliance on submissions to it and the Senate Committee than the reports produced by State Agencies responsible for managing RFA forests and reports from either annual or five yearly reviews.

The concern expressed in 6.72 and the orchestrated campaign of organisations opposed to Tasmania's present forest industry has led the reviewer to conclude that "At the very least, some improvements need to be made to ensure that RFAs are properly implemented"

Yet let's check the reality for the Tasmanian RFA (the most controversial) that this conclusion ignores that the Tasmanian RFA was subject to a 10 year review and two reports jointly prepared by the Commonwealth and State Governments and released for public comment. They were:

1. *The Report on Implementation of the Tasmanian Regional Forest Agreement – 2002-07;*
2. *The Sustainability Indicators for Tasmanian Forests –2001-06*

Together these report on the actions and outcomes flowing from the RFA and TCFA.

*The Report on Implementation of the Tasmanian Regional Forest Agreement – 2002/2007 was a comprehensive 180+ pages covered RFA milestones and commitments (100 - 63 remaining) reported on RPDC recommendations from 2002 review (30) as well as TCFA commitments (66)*

*The Sustainability Indicators for Tasmanian Forests –2001-2006* was one of the RFA milestones (Clause 91); and used the Montreal Process Criteria covering 7 Criteria, 42 Indicators and 311+ pages of comprehensive and factual data and reporting.

The implementation report covered much detail and as an example, the following summary is provided from a quick read of the report on the CAR Reserve System that has been criticised in the independent review:

“We find that the public land commitments mostly completed – Hydro and Crown land areas (~ 9000 ha) being progressed allowing the JANIS criteria met on public land”.

Since 2001 to June 2006 Tasmania reserved an additional 320,000 ha of land, now **44%** its land reserved, including an additional 194,000 ha of forest (**47%** native forest reserved). This forest reserve included an additional 122,000 ha of old-growth (**79%** old growth reserved) and another 44,000 ha of wilderness (now **97%**). There is also a Private CAR reserve of 75,000 ha of which 48,000 ha is forest.

The Forestry chapter of the independent review must include these outstanding conservation results as well as the other achievement documented with empirical evidence that the RFA are making significant contribution to Australia meeting its international obligations under a range of treaties as well as the requirements of the EPBC act.

The detailed reports referred to, whilst showing the need for continued progress demonstrate that the RFA process is delivering positive environmental outcomes, and members are at a loss to understand the opposition to the RFA and the EPBC act by organisations claiming to care for the environment.

## **THREATENED VEGETATION COMMUNITIES**

The LDRMG’s second concern is that the independent review is silent on the listing of the Tasmanian lowland grassland as critically endangered. This was first nominated in 2006, and the LDRMG made the effort to look at the empirical evidence and in its submission discovered significant weakness to the data. A copy of the submission is attached. It queries the then claim “There has been an 83% reduction in this figure since European settlement” and provides references and comment to show this figure was flawed.

Yet instead of rejecting the submission out of hand the scientific committee delayed its assessment for over two years and the Commonwealth provided significant resources for a further study to be completed.

This review estimated the pre-European extent of lowland grassland in Tasmania has been modelled and is estimated to have been 130,000 ha (80,000 ha of lowland *Themeda* and 50,000 ha of lowland valley *Poa*). The Listing advice to the Minister despite all the figures of current and pre European coverage changing still concludes “This represents a substantial decline in the extent of the ecological community in the order of 83%.”

Whilst the new listing advice was advertised for public comment, no invitation was sent to original submitters to the nomination, and as a result my members did not know comment was possible, on what appears to be a process that needs 'independent review'.

## **BIOREGIONALISATION**

A further issue for the independent review is bioregionalisation. The bioregions and subregions are the reporting unit for assessing the status of native ecosystems and their protection in the National Reserve System. The IBRA is also used in the monitoring and evaluation of the Australian Government's natural resource management initiatives.

For the Tasmanian RFA it was agreed that the State would be treated as one region, yet now its performance is reported using IBRA as well as in monitoring the Permanent forest Estate. The boundaries of the regions has been redrawn a number of times since the signing of the RFA, going from version 5 to 6.1. Despite only being 6.8 million hectares and comprising a temperate maritime climate of a wet mountainous west coast and dry flatter east coast, Tasmania is now divided into 9 bio regions (see map included in the grasslands attachment for previous version 5), with the northern midlands, our region, being one of the most 'under reserved' in the Nation.

Such a finding is totally dependent on where you draw the boundaries, and as such the statistic can and have been manipulated by adding in an extra bioregion.

It is the view of my members that all reporting under the EPBC act, the RFA and the National reserve system should be on a State wide basis to avoid waste of scarce resources and bias in the statistics.

## **In Conclusion**

The forestry chapter should be reconsidered in the light of the empirical evidence provided by the Tasmanian RFA 2<sup>nd</sup> five year reviews, that demonstrate significant environmental benefit.

The independent review should audit the nomination of the Tasmanian Lowland Grassland and its subsequent listing as critically endangered due to its "83%" loss.

The review should recommended the scrapping of bioregionalisation (IBRA) and revert to reporting on a State basis for RFA, EPBC act, threatened species and the national reserve system.

Jarrold Burn  
President  
Liffey District Resource Management Group

Monday, 11 December 2006

**Threatened Species Scientific Committee**

C/- The Director  
Species Listing and Policy Section  
Department of the Environment and Heritage  
GPO Box 787  
Canberra ACT 2601

**Email:** [epbc.nominations@deh.gov.au](mailto:epbc.nominations@deh.gov.au)

**Lowland Native Grasslands of Tasmania**

The Liffey District Resource Management Group of Timber Communities Australia wishes to object to the Nomination to list this ecological community under the Environment Protection and Biodiversity Conservation Act 1999.

The Nomination states in its justification for the nomination section against Criterion 2 for determining Endangered Status:

“Before European settlement, temperate lowland grasslands in Tasmania covered 850km<sup>2</sup> (Oberon *et al.* 2003).

There has been an 83% reduction in this figure since European settlement (McDougall and Kirkpatrick 1994).

This means that the community now only covers 144.5 km<sup>2</sup>.”

Members of the Branch believe these statements are false, and ask that nomination be rejected.

We base this belief of the erroneous nature of the statement on the following:

***Before European settlement, temperate lowland grasslands in Tasmania covered 850km<sup>2</sup> (Oberon et al. 2003).***

The Oberon et al reference is actually Carter, O., Murphy, A., and Cheal, D. 2003, *Natural Temperate Grassland* Department of Natural Resources & Environment (Victoria), Flora Ecology Research Section Arthur Rylah Institute for Environmental Research, Department of Natural Resources & Environment, Victoria. This reference is normally referred to as Carter et al 2003 as Oberon is Mr. Carter's first name.

The report Carter *et al.* 2003 states in Section 2.8.1:

“Grassland covered around 850 km<sup>2</sup> of Tasmania prior to European settlement, **with a large proportion occurring in subalpine and alpine areas above approximately 900 m above sea level** (Kirkpatrick 1999). Below the

alpine/lowland divide, the distribution of native grassy ecosystems seems to be confined to the driest niches on siliceous rocks, such as sandstone, or on more mesic sites on mudstones, and is extensive over the moisture gradient on basalt, dolerite, carbonate rocks and fertile alluvium (Kirkpatrick 1999)”

Clearly according to the reference quoted by the nominator, the 1750 estimate 850 km<sup>2</sup> relates to all grassland including that above 600m ASL. The quotation is also believed to relate to all tussock grassland in Tasmania not just grassland defined by this nomination. Thus temperate low land grassland covered an area substantially less than 850km<sup>2</sup> according to the reference quoted.

The figure 850km<sup>2</sup> is also substantially lower than that of table 22 of the Australian Native Vegetation Assessment 2001 of 1109 km<sup>2</sup> for pre European Tussock Grasslands. Tussock grasslands include silver tussock and kangaroo grass. The Native Vegetation Assessment also identifies other grasslands.

***There has been an 83% reduction in this figure since European settlement (McDougall and Kirkpatrick 1994)***

The second sentence of the nominator’s justification claims that there has been an 83% reduction in grassland since European settlement. The reference McDougall and Kirkpatrick 1994 for this claim is not available at the Tasmanian State Library, or the University of Tasmania’s library, nor is it available on the WWF web site, (WWF being the publishers of the work after receiving a National Estate Grant). Timber Communities Australia was able to locate this reference in the State Government’s Department of Primary Industries and Water library.

After reading of the Introduction, Methods, Grassland Communities & Significant Grassland sites – Tasmania, and the Synthesis & Recommendations of this Reference TCA was unable to locate the claim of 83% loss or any evidence to support such a claim.

The Tasmanian State of the Environment report in 2003 stated:

In Tasmania there has been an 83% reduction in the extent of Natural Temperate Grassland, which includes *Poa labillardierei* (Silver Tussock-grass) lowland grassland, and *Themeda triandra* (Kangaroo Grass) Tussock Grassland (unpublished data from CARSAG pre-1750 vegetation reconstruction)

The section also includes a table provided by CARSAG for six of the nine bioregions (the three exclude are those generally covered by the massive World Heritage Area and adjacent reserves). The table has a number of references to grasslands and has in part been reproduced below:

## Non-forest communities current extent and status

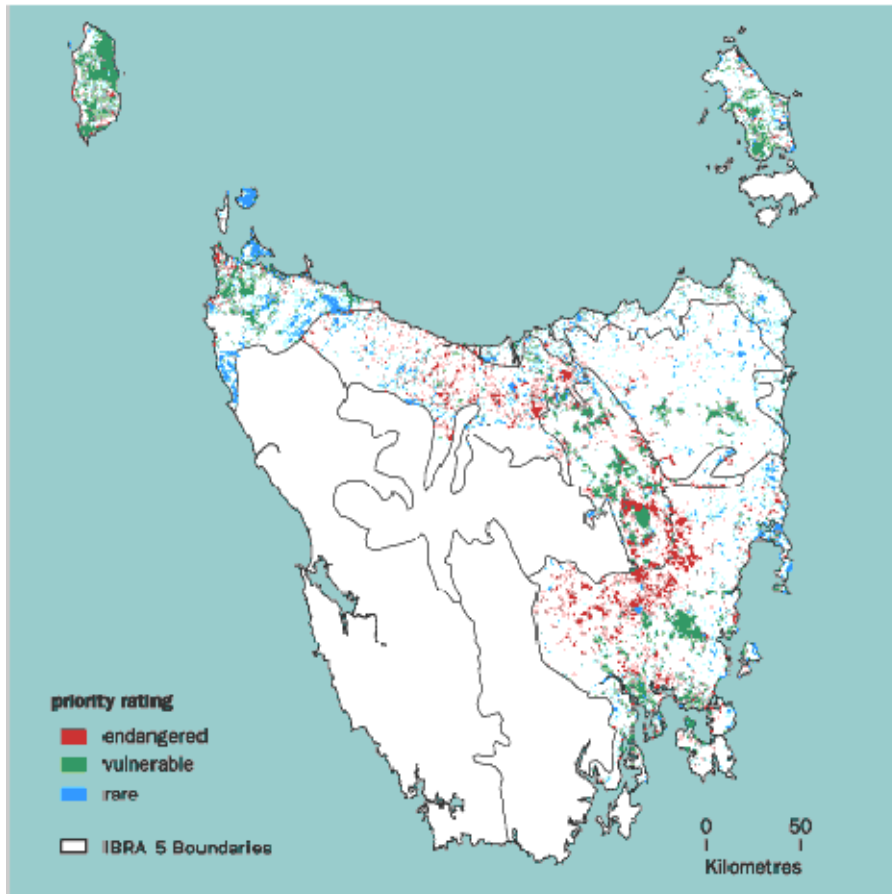
Vegetation community	Community name	Area (ha)	Loss (ha)	Area (1750)	Loss (%)	Status
Gc	Coastal grass/herbfields	5,848	722	6,570	12.4	p
Gl	Lowland Poa grassland	9,155	5,146	14,301	56.2	E
Gn	Danthonia/Stipa/Themeda grassland	85,489	2,335	87,824	2.7	p
Gs	Highland Poa grassland	553	404	957	73.1	R,E
Gsl	Grassy sedgeland - sedgy grassland	5,320	40	5,360	0.8	p
Gt	Themeda grassland	4,968	4,433	9,401	89.2	E

It is noted that the % loss is based on dividing the loss from 1750, by today's area, rather than using 1750 as the base. This type of misleading mathematics does not give any confidence in these figures published, yet it appears in other reports on threatened species and appears to be the basis of the Commonwealth's concerns on aspects of the first 5 yearly review Regional Forest Agreement, and the Commonwealth's demand for Tasmania to introduce threatened vegetation communities legislation.

These figures can also be found in table 4 of Tasmania's Tasmanian Native Non Forest Nature Conservation Priorities DPIWE 3 February 2003, by adding the IBRA extent, again this table falsely determines the % loss by dividing by the current extent. This table also ignores three IBRA's Central Highlands, Southern Ranges, West. These missing IBRA are left blank on the map below but are massively reserved.

Adding together just Lowland Poa grassland (9,155 ha) and Themeda grassland (4,968 ha) does total 14,123 ha or 141 km<sup>2</sup> only 3 km<sup>2</sup> out from the estimate of the nominator, however the addition of Danthonia/Stipa/Themeda grassland 855 km<sup>2</sup> would mean that Tasmanian grasslands are far from endangered.

This table gives rise to a map included in the Tasmanian State of the Environment report:



Preliminary non-forest bioregional priorities, 2002

The map shows just how misleading the table is as the major reservation IBRA's are excluded and coloured white. How different would the colour code be if the current extent of vegetation communities in those IBRA's were included? This map appears to be the basis for both this nomination and the State Government's Nature Conservation Amendment (Threatened Native Vegetation Communities) Bill 2006.

The table from the Tasmanian State of the Environment report if totaled for the grassland indicates yet another set of figures that shows the grassland has not been cleared to endangered levels: Pre European extent of 1244 km<sup>2</sup> and a current extent of 1113 km<sup>2</sup>. This is a huge amount considering that three bioregions covering more than 45% of the State and containing over 2.5 million hectares of reservation have been excluded from this table.

This calculation is similar to the 2% loss calculated from table 22 of the Australian Native Vegetation Assessment 2001. This figure is reduced to a 0% in the Commonwealth's 2006 State of The Environment Report. Appendix A of National Vegetation Information System for the 2006 State of Environment Report shows for Tasmania:

MVG Name	Present Area (km <sup>2</sup> )	Pre-1750 Area (km <sup>2</sup> )	Percent Remaining	Percent Reserved
Tussock Grassland	1,367	1,368	100.0	12.07

***“This means that the community now only covers 144.5 km<sup>2</sup>.”***

The nominator’s statement then uses the calculation 850 km<sup>2</sup> multiplied by 83% to come up with the current extent estimate.

Eg  $A \times B = C$ , we know A is overstated, B is unsupported, then C must be wrong.

Surely with satellite technology, the TASVEG mapping system and the vast on ground work of the NRM committees funded by the Commonwealth there must be a more accurate way of determination.

It also begs the question on how the 83% and the 850km<sup>2</sup> were determined in the first place to be relevant to lowland grassland, and whether it is a circuitous calculation (e.g. are we going in circles).

This figure for current extent is also very different to the one found in table 22 of the Australian Native Vegetation Assessment 2001 of 1090 km<sup>2</sup> for 2001 extent of Tussock Grasslands, or the higher figure in this year’s State of the Environment Report.

Despite the role of the technical workshop to include “determine its national extent” of the vegetation community, the workshop report published does not comment on the extent of this community.

In fact if we use the current area of 1090km<sup>2</sup> found by the Australian Native vegetation Assessment 2001, or the Tasmanian figure of 1113 km<sup>2</sup> then it is clear that the current extent of the community covers more than 1000km<sup>2</sup> and thus does not have a has a restricted geographic distribution.

It is clearly not endangered and should not be listed under the Act.

Kind Regards,

Jarrold Burn  
President