

Secretariat
Independent Review of the EPBC Act
GPO Box 787
Canberra, ACT 2601

Submission to Review of EPBC Act 1999

Thank you for the opportunity to submit the following which is based on my long standing direct experience of relevant affairs in Tasmania:

As the EPBC Act stands, it is wrongly assumed that its Objectives will be achieved by abrogating responsibility, by handing authority over to Tasmania's Forest Practices System (FPS). This System, which gives emphasis to self regulation by the forest industry, has been and continues to be failing to adequately promote sustainability and conservation of biodiversity, both formally and in practice.

I ask you to compare the Objectives of the Tasmanian FPS with those of Tasmanian Resource Management & Planning System (RMPS), and how they compare with those of the EPBC Act.

I ask you to appraise, (beyond the words of the State Government, its agencies and the forest industry), the effects of forestry in Tasmania with regard to the conservation of biodiversity, particularly to threatened species and habitat loss, simplification and islandisation. I submit that the on-ground reality is increasingly dire, and that options for change and remediation are increasingly difficult and closing. Should you require, I am able and willing to provide several comprehensive & multifaceted examples of the on-going failure of the Tasmanian FPS to further the Objectives of either the EPBC Act or the Tasmanian RMPS.

The Tasmanian State Government actively promotes the conversion of private rural lands to Private Timber Reserve status, which specifically and effectively deny community and local government involvement and oversight of planning, development and operations. Oversight by the RMPS, with its explicit concerns for maintaining ecological processes & genetic diversity and public involvement, is replaced by the FPS, which does not adequately (if at all) share these concerns, which voids application of the State's Threatened Species Act, and which is continuing to fail conservation of biodiversity imperatives. The FPS merely has to make some provision for these issues, a significantly lesser requirement than the RMPS.

The Tasmanian State Government is currently revising its State Policy on the Protection of Agricultural Land. This Policy (and its proposed changes), while supposedly intending to promote sustainable agriculture, actually promotes productivities for the resource extraction and industrial agriculture sectors (incl. exotic monoculture plantation forestry). This Policy does not allow for conservation of biodiversity, populations, ecosystems maintenance, ecological principles, or the environment generally, even though the Objectives of the Act governing this Policy should demand it.

It is one thing to attempt to promote a cooperative approach to conservation and biodiversity issues, it is quite another to abrogate responsibility. The EPBC Act's prime responsibility must be to the environment and conservation of biodiversity, which to be effective and sustainable must be the point of focus in promoting any cooperative approach. The priority focus should not be neglected or subjugated by the approach.

I submit that all these matters demonstrate the need to seek vastly different & improved arrangements with the Tasmanian State Government and stakeholders, and that urgent attention be given to application of the prime intent of the EPBC Act. The immediate rescission of the Regional Forest Agreement exemption clauses must be undertaken. Should the Tasmanian FPS be able to demonstrate significant genuine improvements (and perhaps this would be best done by being brought under the auspices of the RMPS), then there would be no need for such exemptions from the EPBC Act, and that this oversight would remain.

The rate of loss of biodiversity is alarming and will be compounded by climate change effects. If the EPBC Act has no effective role in addressing this urgency, then it is but a paper tiger and an apt memorial to the pulped native forests and the spotted-tailed quoll.

Yours faithfully



P.A.Elkin