

An independent review of interactions between the EPBC Act and the agricultural sector

David Eddy – LLS, Cooma

Key Questions for Consultations

1. Have you interacted with the EPBC Act in the past? Please be as specific as possible, including if you have previously referred actions, noting that submissions will be made public unless confidentiality is specifically requested.

I had peripheral contact with the EPBC Act in the late 1990's when it was being developed. I worked at that time for WWF Australia, in Canberra, where we had an EPBC officer who was engaged in working with the Commonwealth in developing the EPBC Act.

In the early 2000's I was a member of the National Recovery Team for Natural Temperate Grasslands of the Southern Tablelands, working with the Commonwealth on developing the National Recovery Plan for that ecological community.

As a private consultant between 2003 and 2017 I completed a number of consultancies (mostly for public sector clients) in survey and assessment of areas of native vegetation which had potential to be EPBC listed ecological communities – particularly Natural Temperate Grassland and Box-Gum woodland.

Working for LLS over the last 6 months I have begun to assess proposals for vegetation clearing under NSW legislation which may also require consideration under the EPBC Act.

I have also been working with DoEE for several months to consider adjustments to the application of the NTG listed community, to alter the condition thresholds so that less of the extensive area of native grass dominant pasture area on Monaro is affected by this listing.

I have recently been working with DoEE to develop agriculturally and ecologically accurate, and regionally practical communications material to publicise the NTG listing and clarify what is and is not intended to be regulated under the EPBC Act.

I have not made any EPBC Act referrals myself.

2. Do you feel that you have an adequate understanding of your obligations under the EPBC Act?

Not as much as I'd like to. In my current role with LLS I'm learning more so that I can be as fully conversant with the Act as my role requires.

3. Where have you sought advice on your obligations under the EPBC Act in the past (e.g. from DoEE, a State Government, a local government, a consultant, your neighbour etc.)? How would you assess the quality and usefulness of the advice you received?

I've sought clarification mainly from DoEE, particularly in relation to the definition and condition thresholds for the NTG listed ecological community, as this is a significant issue on Monaro.

I have often found the advice lacking in detail, clarity and practical applicability, based on what appears to be a lack of familiarity with the ecological, agricultural and social contexts of the Monaro region.

4. Ideally, how would you like to receive information about the EPBC Act and your obligations under it?

Good, clear, succinct, written information.

5. What has been the time or cost involved in ensuring your compliance with the EPBC Act in the past? Please be as specific as possible.

N/A – I have not been a proponent.

6. Are you aware of the threatened species and ecological communities that may be present on your property? What measures, if any, do you undertake to manage your impact on these species and communities?

N/A – I'm not a rural landholder.

7. Have you ever gained any direct financial benefits from managing the threatened species and ecological communities present on your property (e.g. through EPBC Act offsets or other government grants)?

N/A – I'm not a rural landholder.

8. Have you ever been deterred from proceeding with an agricultural development due to your understanding of the requirements of the EPBC Act? Have you ever withdrawn or let lapse a referral under the EPBC Act? If so, why?

N/A – I'm not a rural landholder.

9. How do you think the Australian Government can improve achievement of its environmental protection and biodiversity conservation objectives through its interactions with the agriculture sector?

Provide clear, succinct, accessible, 'farmer friendly' information on the MNES, especially listed species and communities, in each region, so that landholders understand the MNES relevant to them.

Provide clear 'farmer friendly' guidelines on what activities are likely to constitute a 'significant impact' - considering the listing status and activity, intensity, scale and duration.

Produce substantial alignment between EPBC listed entities and State listed entities, in terms of which entities are listed, their definitions, condition thresholds and assessment methods.

10. Is there anything else you would like to raise in relation to the interaction between the EPBC Act and the agriculture sector?