

Department of Infrastructure, Energy and Resources

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Your Ref Our Ref 2013/8756



Hon Paul Harriss MLC

Chair

Legislative Council Select Committee on the Tasmanian Forests Agreement Bill 2012

By email: stuart.wright@parliament.tas.gov.au

Dear Mr Harriss

Thank you for your letter dated 15 January 2013 in relation to questions taken on notice from the hearing, of the same date, of the Legislative Council Select Committee on the Tasmanian Forests Agreement Bill 2012.

I am pleased to provide the following responses to the Questions on Notice:

Clarification of the process to verify the conservation values claimed under Schedule A of the amended Bill

The values identified under Schedule A of the amended Bill for proposed Tranche 1 and 2 reserves, have been drawn from the legislated values and purposes in Schedule 1 of the *Nature Conservation Act 2002*.

Schedule 1 of the *Nature Conservation Act 2002* (NCA) sets out eight classes of reserves on public land and identifies the values and purposes that equate to each class. These values and purposes are legislated criteria and, as such, provided the key rule set used to classify each of the TFA proposed reserves. This is consistent with the Bill, which requires the Nature Conservation Minister, as part of the reserve making process, to recommend proposed reserves be a class of reserved land under the NCA that gives effect to the boundaries, values and purpose accepted by Parliament for the proposed reserves (see clause 16(8) of the Bill). A copy of Schedule 1 of the NCA is provided for your reference.

One of the purposes of the Bill, as publicly articulated in Government Fact Sheets and the Second Reading Speech, is not to unduly impact on non-forestry activities, such as mining, infrastructure, tourism or recreational uses or rights.

The process of assigning values and purposes to reserves proposed through the Tasmanian Forest Agreement consequently applied the legislated criteria for NCA reserves, in the context of the purpose of the Bill. So, for example:

- Areas that were predominantly in a natural state, and occurring within legislated Strategic Prospectivity Zones, or under an existing mining lease or mineral exploration licence or identified in Mineral Resources Tasmania datasets as having moderate-high or high mineral

prospectivity, were assigned purposes and values equivalent to Class 7 (ie Regional Reserve) under Schedule 1 of the NCA. Schedule 1 of the NCA prescribes this classification for “an area of land- (a) with high mineral potential or prospectivity; and (b) predominantly in a natural state” and assigns a purpose of “Mineral exploration and the development of mineral deposits in the area of land and the controlled use of other natural resources of that area of land, while protecting and maintaining the natural and cultural values of that area of land”.

- Areas that were covered by infrastructure, and predominantly not in a natural state, have been excluded from the proposed reserve areas (either by general description in the definition of “land” or, in a small number of cases, by excising the area from the maps), as these do not meet the legislated classification.
- Areas not included in the above categories, that had significant existing tourism or recreational use, but still in a predominantly natural state were assigned purposes and values equivalent to class 5 Conservation Area or Class 6 Nature Recreation Area.
- Areas that did not fall into the above categories and that were large natural areas (or contiguous with existing national parks to form large natural areas) were assigned purposes and values equivalent to Class 1 National Park.

Note that the ruleset was applied in as practical a manner as possible in the short timeframe available. For example, where there was no conflict with legislated values and purposes, other issues, such as adjacent land tenure, were also taken into account.

Clearly, in the time available, there was no capacity to field check some 500 000 hectares of proposed reserve land, nor to finesse boundaries to ensure appropriate management boundaries have been identified.

It is expected that the reserve making process, where detailed Central Plan Register Plans will be prepared for each individual proposed reserve, will enable appropriate management boundaries to be identified for each new reserve, including verification of the purposes and values assigned under the Bill. This process is anticipated to make use of existing datasets, advice from land managers, and other relevant information, including expert advice, information provided by the community or interest groups and the Independent Verification Group Report.

Whether there will be community consultation in relation to the socio-economic study being completed by Dr Bob Smith

The socio-economic analysis on the Tasmanian Forest Agreement is being led by the Australian Government. The Australian Government has commissioned two pieces of socio-economic work looking at the forestry industry in Tasmania.

Pursuant to Clause 37 of the *Tasmanian Forests Inter-governmental Agreement 2011*, Professor Jonathon West has undertaken a detailed socio-economic study. This study was commissioned to analyse the likely impacts of the forest industry changes and to explore and identify a range of opportunities for economic diversification in Tasmania and its communities. The research scope included identification of options for economic development that build on Tasmania's existing competitive advantages. This research required the authors to consult with stakeholders on identified opportunities that are economically, socially and environmentally viable.

At the request of the Signatories to the Tasmanian Forest Agreement, the Australian Government has commissioned Dr Bob Smith to run his model on direct jobs impacts which could be expected as a

result of the implementation of the Tasmanian Forests Agreement. In conducting this report, the Australian Government has advised that Dr Smith has consulted with key people with expert knowledge to ensure that the model reflects the operations of Tasmania's forest industry.

Dr Smith's work builds upon initial work provided as part of the Independent Verification Group process. It will provide an estimate of the impacts on jobs (direct primary processing and contractor jobs) from changes to log availability to industry that would be anticipated with the implementation of the Tasmanian Forest Agreement. Dr Smith's earlier analysis from the Independent Verification Group can be found at:

http://www.environment.gov.au/land/forests/independent-verification/pubs/ivg_socioeconomic_summary_smith.pdf

The Tasmanian Government is happy to work with the Australian Government to facilitate a more detailed, technical briefing if required.

An electronic colour copy of the maps tabled at the meeting

As discussed at the Select Committee Hearing, the draft Central Plan Register Plan provided with the Whole-of-Government Departmental Submission has been generated in black and white, consistent with the normal CPR Plan process.

I note that at a subsequent hearing on 17 January 2013, representatives from the Department of Primary Industries, Parks, Water and Environment (DPIPWE) were also requested to provide summary maps "colour coded by reserve class/type at A3 that outline the current reserves across Tasmania as well as the additional reserves proposed under the Bill". It is our understanding that these two requests refer to the same material. Staff at DPIPWE are preparing the requested information, and this will be separately provided to the Committee, as soon as it is available.

Yours sincerely

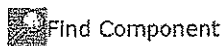


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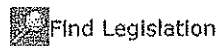
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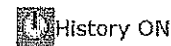
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History ON

Nature Conservation Act 2002 (No. 63 of 2002)

Requested: 16 Jan 2013

Consolidated as at: 16 Jan 2013

SCHEDULE 1 - Determination of class of reserved landSections 3 and 16

Column 1 Class of reserved land	Column 2 Values of land	Column 3 Purposes of reservation
1. National park	A large natural area of land containing a representative or outstanding sample of major natural regions, features or scenery.	The protection and maintenance of the natural and cultural values of the area of land while providing for ecologically sustainable recreation consistent with conserving those values.
2. State reserve	An area of land containing any of the following: (a) significant natural landscapes; (b) natural features; (c) sites, objects or places of significance to Aboriginal people.	The protection and maintenance of any one or more of the following: (a) the natural and cultural values of the area of land; (b) sites, objects or places of significance to Aboriginal people contained in that area of land; (c) use of the area of land by Aboriginal people – while providing for ecologically sustainable recreation consistent with conserving any of the things referred to in paragraphs (a), (b) and (c), as applicable.
3. Nature reserve	An area of land that contains natural values that – (a) contribute to the natural biological diversity or geological diversity of the area of land, or both; and (b) are unique, important or have representative value.	The conservation of the natural biological diversity or geological diversity of the area of land, or both, and the conservation of the natural values of that area of land that are unique, important or have representative value.
4. Game reserve	An area of land containing natural values that are unique, important or have representative value particularly with respect to game species.	The conservation of the natural values of the area of land that are unique, important or have representative value, the conservation of the natural biological diversity or geological diversity of that area of land, or both, and the ecologically sustainable hunting of game species in that area of land.
5. Conservation area	An area of land predominantly in a natural state.	The protection and maintenance of the natural and cultural values of the area of land and the sustainable use of the natural resources of that area of land.
6. Nature recreation area	An area of land – (a) predominantly in a natural state; or (b) containing sensitive natural sites of significance for recreation.	Public recreation and education consistent with conserving the natural and cultural values of the area of land.
7. Regional reserve	An area of land – (a) with high mineral potential or prospectivity; and (b) predominantly in a natural state.	Mineral exploration and the development of mineral deposits in the area of land, and the controlled use of other natural resources of that area of land, while protecting and maintaining the natural and cultural values of that area of land.
8. Historic site	An area of land of significance for historic cultural heritage.	The conservation of the historic features of the area of land and the presentation of those features for public appreciation and education.
9. Private sanctuary	An area of land that has significant natural or cultural values, or both.	The protection and maintenance of the natural or cultural values of the area of land, or both, while permitting the carrying out of agricultural or other activities on that land consistent with conserving those values.
10. Private nature reserve	An area of land that contains natural values that – (a) contribute to the natural biological diversity or geological diversity of the area of land, or both; and (b) are unique, important or have representative value.	The conservation of the natural biological diversity or geological diversity of the area of land, or both, and the conservation of the natural values of that area of land that are unique, important or have representative value.

CHANGES OVER TIME

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