TNPA NEWS

TASMANIAN NATIONAL PARKS ASSOCIATION INC

Newsletter No 18 Summer 2014

Near Thark Ridge, Wellington Range – a rough ride! Photo credit: Catharine Errey

THANK YOU

The TNPA Committee would like to thank the following people and organizations who over the last 6 months have volunteered their time to assist the TNPA or who have helped us in other ways.

Tarkine Slide Night

Chris Bell, Rob Blakers, Professor Jan McDonald, as well as those who contributed towards and assisted with the supper, and helped with organization and on the night.

Salamanca Stall

Jenny Burnett, Rob and Toni Hill, Kerry Larkins, Debbie Quarmby

Buttongrass Ball

Dave Wanless, Tasmanian Folk Federation, the Verandahcoots, the Tasmanian Heritage Fiddle Ensemble

Secretarial assistance to the TNPA Amy Lin

TNPA News Production (this edition)

Ricoh Business Centre Hobart, Laura Paton, Professor Jan McDonald, Amy Saunders from the Tarkine Devil Project, Jenny Scott

Other Support & Assistance

Paul Smith, Tony Knight, Tasmanian Conservation Trust

To identify, protect, conserve, present, and where appropriate, rehabilitate the area and to transmit that heritage to future generations in as good or better condition than at present.

Overall objectives of the World Heritage Area Management Plan 1999

EDITORIAL

A theme common to many of the reports and updates in this edition of TNPA News is the Australia-wide threat to conservation values and protected areas arising from government policy changes at both state and federal level. The trend is for governments to listen to vested interests, such as mining companies and big end tourist operators, ahead of the expert advice of scientists and those people and organizations, such as the TNPA, who speak up for Australia's natural and cultural heritage and for the preservation of this heritage for future generations. The closing of the Enviromental Defenders Offices adds insult to injury. To offset all this 'bad news' we are pleased to include a 'good news' story on the feral pest eradication program on Macquarie Island.

FROM THE PRESIDENT'S PEN:

We are all familiar with that well known Chinese proverb – "May you live in interesting times" for yes, indeed, they are interesting times we live in! With the recent change of government at the Federal level and a possible change at the State level this year, the future suddenly seems far less certain. However, in a "Good-News, Bad-News" story, let us first survey the Good News.

Since its launch in September 2001, and for over 12 years now, the TNPA has continued to position itself as the primary public voice on issues impacting on conservation reserves in Tasmania and I again thank all our members and supporters who have joined us on this challenging journey over this time.

While it is difficult to know what may have come to pass in Tasmania's national parks had the TNPA not been around (for example, perhaps a few more developments within our parks), nevertheless we like to think that we have made a difference in standing up and defending what we believe in.

The State's wild places and the animals that live within them aren't able to speak on their own behalf. They need an advocate who promotes and tries to safeguard the vanishing, wild areas in which they live. The latest update of the IUCN Red List of Threatened Species indicates that of the 63,837 species examined worldwide, 19,817 are threatened with extinction — nearly a third of the total. Within Tasmania more than 600 species of plant and animal are currently threatened and are listed on the Schedules of the *Threatened Species Protection Act 1995*.

There is also a need for an advocate to protect remote and wild places for those who seek to explore the wonders of the natural world and for those who also seek spiritual renewal and solace in such places from an ever increasing urbanised and commercial world.

That's why all of us are working together to champion the protection of Tasmania's wild places and other reserved lands.

However, there remain those within our governments and developers in our communities who remain unenlightened as to these needs and so the need to hold the line continues.

And so what has the TNPA be up to over the past year?. A quick scan through my bulging email InBox indicated a raft of activities, including the following:

1. The following submissions were made commenting on draft reports seeking public comment:
    a. Draft Wellington Park Management Plan
    b. Maria Island Ecotourism Feasibility Study Draft Report
    c. Walls of Jerusalem Recreational Zone Draft Plan
    d. Consultation Draft of the Tasmanian Coastal Policy Statement
    e. Draft Melaleuca – Cox Bight Management Statement
    f. Draft Melaleuca – Site and Rehabilitation Plan
2. The following issues, some brought to our attention by TNPA members and other members of the public, were followed up with the Tasmanian Parks and Wildlife Service (PWS) and/or government Ministers and/or other relevant groups:
    g. The revision of the Overland Track Usage Policy - subsequently called Guidelines;
    h. Advertised landings by Tasmanian Air Adventures in national parks and the World Heritage Area;
    i. The potential to create "remoting zones" on parts of the recently sold Polin estates e.g. at Gowan Brae;
    j. Issues relating to the 'grooming' on ski slopes on Mt Mawson within Mt Field National Park;
    k. The licence conditions granted to Riverfly - a commercial fly fishing outfit taking clients into the Central Plateau and WHA via Skullbone Plains, where they have recently established a standing camp;
    l. Recreational vehicle usage on the west coast, especially the use of a barge on the Pieman River to take 4WD bikes south;
    m. The increase in litter in national parks and the need to re-invigorate the Minimal Impact Bushwalking code of conduct;
    n. The development at Pumphouse Point on the shores of Lake St Clair, which now appears to be proceeding after a lengthy delay though on a much reduced scale; and finally,
    o. Congratulating the PWS on the eradication of pests from Macquarie Island but urging the need for further follow-up and on-going monitoring to ensure the long term success of this project.
3. A continued focus on the Three Capes Track development and follow up letters to, and meetings with, the Premier and Ministers. We also provided a submission to, and appeared before, the Joint Parliamentary Public Works Committee hearings on the Three Capes Track. Unfortunately apart from noting some safety issues relating to the cliffs no changes were recommended by this Committee.
4. Ongoing and lengthy negotiations with the Government, Greens, Environment Tasmania, the Tasmanian Conservation Trust and other stake-holders concerning the new National Parks and Reserve Authority for which legislation has recently been introduced into the Tasmanian Parliament.
5. Membership of the consultative group formed to discuss the viability of a Wellington to Wilderness Multi-Use Recreational Trail which has now morphed into a proposal for a Mount Wellington to Glenorchy Mountain Bike Trail.
6. In December the TNPA also attended the public meeting concerning the recently commenced review of the 1999 Tasmanian Wilderness World Heritage Area Management

Plan. This was followed up with a written submission and a meeting with Colin Shepherd who is the project manager for this review.

There were also the annual events such as the Autumn Walks, fund raisers such as the 'Tarkine' slide night in August, the occasional stall at Salamanca market, continued production of the TNPA News, as well as the usual stream of letters to the Mercury and the inevitable administrative issues to keep us all on our toes!

As President I would like to express my great appreciation to all the Committee and others who have assisted with the above tasks for their work over the past year and to our members, without whose support and help the TNPA would not exist.

While we can look back on the past year with pride at what we have achieved, as I mentioned earlier, dark clouds appear to be massing on the future horizon. While exactly what the future will bring still remains to be seen, some portents of the rocky road ahead have already appeared.

First is the policy of the new Federal Government to appease the powerful mining lobbies to devolve Commonwealth environmental powers under the EPBC Act to the States and Territories – with MOUs now signed with all governments. A report commissioned by the Places You Love Alliance (40 NGOs combined to fight the devolution of powers) found that no state or territory's threatened species or planning laws met the suite of Federal environmental standards necessary to effectively protect the environment. All I can say is "Remember the Franklin!"

Second was the proposed amendment to the EPBC Act to allow the Environment Minister to no longer consider formal conservation advice for endangered species before approving major projects. This was used during the year by the environmental group Save the Tarkine against an iron ore mine proposed by Shree Minerals. The bill was eventually amended to apply only until 31 December, though this means that approvals to large projects before the start of 2014, such as Abbott Point in Queensland, will fall under this exemption.

Third, was the announcement on December 11 that Commonwealth protection of the River Murray and Macquarie Marshes be disallowed, despite these areas being determined to be two of the most critically endangered ecosystems in Australia by the Environment Minister's premier scientific advisory body.

Fourth was the announcement in mid-December that the Federal government will scrap funding to the Environment Defenders Office. This agency having provided legal advice to community groups, local government and small businesses on a myriad of planning and appeal law for the past 20 years, the move appears to be yet another attack on environmental protection across Australia.

Fifth is the policy of the Abbott government to delist the forests added by the international World Heritage Committee in June this year to the Tasmanian Wilderness World Heritage Area (TWWHA) Opening these forests to logging is part of this government's policy of rescinding the Tasmanian Forests Intergovernmental Agreement.

And with the reduced focus of this government on dealing with the causes of climate change, and the potentially catastrophic consequences, one can indeed start to get quite depressed about what the future will bring. The increased frequency of destructive fires in the Southwest National Park due to the corresponding increased frequency of dry lightning strikes is just one portent of coming changes.

In a recent paper published in the journal Conservation Biology (http://dx.doi.org/10.1111/cobi.12189) with the title "*Continental-Scale Governance Failure Will Hasten Loss of Australia's Biodiversity*" the authors argue that conserving biodiversity against a global backdrop of rapid environmental change poses one of the biggest and most important challenges to society, and for this reason nature reserves have never been more important. However, they note that the weakening of protected areas in Australia, a rich, developed country with a global reputation for conservation leadership, is particularly alarming. They write "*the recent legislative threats to Australia's parks have come about not because of a lack of data about their likely consequences, but apparently to cater to particular political interests. Given that continued weakness in the global economy will increase incentives for governments to allow further exploitation of natural resources, we must remain vigilant to the potentially serious consequences of such actions*."

In line with this threat, and given the bad lead having been provided by newly elected state governments on the mainland in recent years, a possible change of Government at the State level may also bring unwanted change. Contingent on passage of the required legislation, such a change would coincide with the creation of the new Parks Authority. And as already mentioned, this year will also see the long overdue review of the Tasmanian Wilderness World Heritage Area Management Plan. With this plan covering around two-thirds of Tasmania's conservation reserves it will be important for the TNPA to defend the strengths of the existing plan, seek improvements and hold off likely proposals to "open-up" this area to greater tourist developments.

And finally, there will be the need to find a replacement for Peter Mooney, current General Manager of the PWS, who recently announced his intention to retire some time during 2014.

As I said earlier, these are indeed "Interesting Times".

The TNPA has long argued that together with having a world class system of conservation reserves Tasmania should also strive to put into place a world class management system worthy of these reserves. Past management of the TWWHA made a good start on achieving this worthy objective, but as the paper cited above highlights, ongoing and recent threats to the conservation values protected within Australia's conservation reserves remain pervasive. In light of these threats, management agencies must be guided by the overarching management objective of protecting and conserving the values held within these reserves. And it is for these outcomes that the TNPA will continue to be a strong advocate.

In this regard, the TNPA is fortunate in having a dedicated Committee and it has been a great pleasure for me to work with my fellow members over the years. However the Committee currently has a number of vacant positions and this hinders us from achieving our full potential. Indeed, growing and renewing our Committee remains our biggest challenge. Every organisation needs to renew itself through natural growth and replenishment of its members and committee and the TNPA is no exception.

The TNPA also relies on the great goodwill of its members and supporters in order to do its work and get its message out and about. Thanks to you all.

And as I write this just before Christmas, and despite the dark clouds looming, there is something good in Santa's sack for the environment this year. Proclaimed on December 16, nearly 100,000 hectares of new conservation reserves have been added to Tasmania's system of conservation reserves as the first tranche under the Tasmanian Forests Agreement Act 2013. Part of the 170,000 hectares added to the World Heritage Area in June this year this acknowledges the high conservation values of these forests and is a tribute to all those who have fought for their protection for so long. Well done!

I wish you all a safe, happy and successful 2014.

Robert Campbell (President TNPA)

TNPA REPORT *By Nick Sawyer*

Review of the 1999 Management Plan for the Tasmanian Wilderness World Heritage Area

This review was announced with little fanfare in early November 2013.

The review is overdue. The 1999 Plan was originally intended to have a ten year life with a limited review after five years. The mid-term review was undertaken between 2005 and 2007 and changes recommended at that time were identified in the *Draft Tasmanian Wilderness World Heritage Area Management Plan 1999 – 2007 Update* but these were never formally adopted due to a decision to wait for legal clarification of one particular issue (relating to statutory powers) which remains unresolved.

The impetus for the current review has come mainly from the need to provide management prescriptions for the areas added to the TWWHA as an outcome of the Tasmanian Forests Agreement. The TNPA supports the need to develop management prescriptions for these areas as soon as possible but is concerned that putting a 12 month deadline on the review of the Management Plan for the entire TWWHA will result in an unnecessarily rushed review. TNPA (in conjunction with the TCT) has raised this concern with the Minister.

There is also little doubt that the decision to undertake the review was encouraged by pressure from the tourism industry. They have repeated the mantra that "green-tape" (which presumably includes the TWWHAMP) is blocking the expansion of Tasmania's tourist industry for so long that they are believed, despite an absence of evidence of any worthwhile project that has been halted by failure to gain approval. For example, the Cockle Creek lodge was approved but was never built and the Pumphouse Point lodge has had approvals for many years, but is only now going ahead.

The current management plan dates from 1999 so it is easily portrayed as outdated by those who wish to see major changes, such as a relaxation of the emphasis on wilderness protection. However, most of it still relevant. This is acknowledged by PWS in using it as basis for the new plan.

So what has changed since 1999?

The new plan is being prepared on a 12 month timeline with two opportunities for public input (the now completed series of public meetings, and the legally required consultation period on the draft plan which is expected to be available in the first half of 2014). It is being prepared by staff of the DPIPWE policy section with limited previous experience of reserved area planning. In contrast, the 1999 plan involved several stages of public consultation over several years prior to the legally required consultation period on the draft plan) and was developed by experienced staff of the PWS Planning Section.

One of the main concerns in 1999 was recreational pressure on the more remote parts of the TWWHA (the contentious Walking Track Management Strategy). Use of these areas has not increased as feared, so this issue is not as great a concern as it was in the late 1990s.

Commonwealth funding for the TWWHA was already past its peak in 1999 although this may not have been apparent at the time. Now the funding from both State and Commonwealth governments is marginal and there is far greater pressure to derive income from users (e.g. Park Entry and Overland Track fees), from the provision of private tourism infrastructure within parks and from "outsourcing" to private enterprise tasks that would once have been done by PWS staff.

The additions to the TWWHA resulting from the Tasmanian Forests Agreement included logged and roaded areas. Many of the most impacted will become conservation areas or regional reserves rather than national parks but they raise new issues including rehabilitation requirements and management of existing recreational use. The extension areas are welcomed but it is important that these issues do not distract attention from the management of the core wilderness areas of the "old" WHA. The incorporation of so much ex-Forestry land into the TWWHA will force some tough decisions on the future of the many roads originally constructed for forestry operations. Maintenance will become the responsibility of PWS and maintenance of bridges in particular is seriously expensive. Access to parts of the Central Plateau (within the WHA) has already become more difficult as a result of the removal of unsafe bridges in the Meander Valley. Several other popular bushwalker access points to the WHA utilise roads which are no longer required for forestry (e.g. Mersey Forest Road, Little Fisher Road and Picton Road to Farmhouse Creek).

The 1999 TWWHAMP lacked any consideration of the impacts of climate change on the area. These are already becoming apparent with changes to the frequency and intensity of wildfires and increased risk of the spread of pathogens. These need to be addressed in the new plan and some of the proposed solutions may be controversial.

The introduction to the TNPA's submission on the plan review follows. The full text can be found on the TNPA website.

Context

As you are aware, the Tasmanian Wilderness World Heritage Area covers a significant area of Tasmania (over 20 percent). The area includes all of Tasmania's largest national parks and the national and global importance of the conservation and heritage values protected within this area is acknowledged by its listing as a World Heritage Area. The revised management plan will determine the future of this magnificent area for the next decade. Given this context, the TNPA believes it is imperative that all issues are given careful consideration and this review of the management plan is not rushed – it is too important to the future of the values protected within the TWWHA and to Tasmania to do otherwise.

Process for Developing the Plan

The TNPA believes that if a new plan is to be accepted by all stakeholders and the broader Tasmanian community there needs to be not only adequate public consultation but an adequate response to the issues raised in that consultation. The TNPA notes that a major contributing factor to the ongoing debate about the merits of the proposed Three Capes Track was the failure to respond to a number of serious criticisms raised during the initial public consultation period and in other forums.

The process for developing the 1999 TWWHAMP is described in *The Development of the 1999 Management Plan for the Tasmanian Wilderness World Heritage Area* which can be found at:

http://www.wilderness.net/library/documents/science1999/Volume5/Sawyer_5-45.pdf

This paper not only describes the stages of consultation undertaken but discusses the rationale for the approach taken and contains a number of conclusions about consultation and the development of management plans which remain relevant. The TNPA does not consider that such an extended and exhaustive process is warranted for the current plan review but considers that there should be more opportunities for public input than a series of public meetings and an opportunity to comment on a draft plan. For example, the comment period on the draft plan should be followed by the release of a revised draft plan accompanied by a detailed and considered response to the issues raised during the consultation.

The consultation periods need to be at least twelve weeks to give organisations such as TNPA time to consult its membership and formulate a considered response.

Fundamentals of Management

The fundamental dilemma for management of protected areas in general, and wilderness areas in particular, is to present the area without compromising the values being presented. The policy successfully pursued by PWS for many years has been to provide interpretative facilities and a range of high standard short walks in Visitor Service Zones around the TWWHA (e.g. Cradle Mountain). This is compatible with the presentation and community engagement objectives of the 1999 TWWHAMP; the vast majority of visitors appear well satisfied by the experiences currently available and there is no evidence of demand for additional access to, or facilities in more remote (high wilderness quality) areas of the TWWHA.

Maintenance of the world-heritage natural and heritage values and the wilderness quality of the area, and the restoration of wilderness quality where feasible (e.g. closure of roads and removal or non-maintenance of huts), has been, and must remain, the underlying principle guiding the management of the area. The area comprises a large percentage of the remaining extensive, high quality, temperate wilderness in Australia, and is one of only a few such regions in the world. It is this wilderness quality which underpins the Tasmanian Wilderness WHA's success in meeting the criteria as a natural property and which is the foundation for the maintenance of the integrity of both the natural and cultural values of the area (TWWHAMP, 1999, page 23).

This is reinforced by the announcement at the 10th World Wilderness Congress (October 2013) that IUCN is assessing the potential for the World Heritage Convention to contribute to wilderness conservation around the world.

Wilderness mapping was one of the ten key focus areas of the 1999 TWWHAMP. This is the most direct technique for monitoring physical impacts on wilderness quality and should be required to be undertaken at regular intervals (e.g. every five years).

Keeping It Wild (found at: http://www.fs.fed.us/rm/pubs/rmrs_gtr212.pdf) provides a useful summary of current US National Parks Service thinking on maintenance of wilderness quality. Note that it includes some criteria such as "natural quiet" not directly mentioned in the 1999 TWWHAMP.

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Gordon River - Approaching Heritage Landing. Boats are required to travel at low speed in order to avoid damage to river banks.

Signage for short walks, Dove Lake carpark, Cradle Mountain.

Management Objectives

The Tasmanian Wilderness WHA has been recognised as a place of outstanding universal value, forming part of the natural and cultural heritage of the world community. It satisfies all four criteria for World Heritage listing for its natural values and additionally three of the seven cultural criteria for listing. These natural and cultural values are well summarised in the 1999 Plan in the chapter *Summary of Values*. However, the TNPA notes that within this chapter recreational and economic values are also listed. It needs to be recognised that neither of these are values for which the area was granted World Heritage status and in this regard should not be considered primary values for management purposes. The TNPA would like this point to be clearly recognised in the revised management plan.

Boardwalk and interpretative sign at Heritage Landing. Visitors can enjoy the wilderness without trampling it.

Images: Nick Sawyer

Australia, as a signatory of the World Heritage Convention, has an obligation to conserve and protect the world heritage values for which the TWWHA was listed. This obligation is enshrined in the Overarching Management Objective for the TWWHA which has been identified as:

To identify, protect, conserve, present and, where appropriate, rehabilitate the world heritage and other natural and cultural values of the WHA, and to transmit that heritage to future generations in as good or better condition than at present. (TWWHAMP, page 30)

This overarching management objective is, in many respects, consistent with the listed objectives of national parks, as specified under the Tasmanian National Parks and Reserves Management Act 2002, which are also concerned with the need to conserve and protect the values of the reserved area. This extends to the conservation of natural biological and geological diversity of the area, water quality, sites of cultural significance, and the preservation of the natural primitive and remote character of wilderness areas.

The need to 'present' the values of the WHA, as specified under the management objective for the TWWHA, can also be seen to encompass one of the objectives for national parks 'to encourage and provide for tourism, recreational use and enjoyment

Signage for protection of fragile alpine vegetation, Southern Ranges (TWWHA).

Rock steps on Hill One, Southern Ranges, showing high quality track work, minimalist but effective, for both walker comfort and environmental protection.

Images: Nick Sawyer

consistent with the conservation of the national park's natural and cultural values' as specified the under the State Act.

Given the twin objectives to both protect/conserve and present values, park management is often seen as trying to achieve a balance between these two objectives. While this is true to some extent, as noted previously, the fundamental objective for the management of the TWWHA (and national parks in general) is the need to protect and conserve the world heritage values within this area. Tourism and recreational use, in needing to be consistent with the conversation of these values, must be subsidiary or secondary to the achievement of this primary objective. The TNPA has long argued this case and given the recognised international significance of the values within the TWWHA, this fundamental objective to protect and conserve the values of the area must remain the overarching objective of the new management plan. In this regard the TNPA suggests a slight rewording of the existing overarching management objective as follows:

To identify, protect, conserve, where appropriate, rehabilitate, and where consistent with these primary concerns, present the world heritage and other natural and cultural values of the WHA, and to transmit that heritage to future generations in as good or better condition than at present. (TWWHAMP, page 30)

This proposal is consistent with Proposed Action 5 recommended by the 2004 State of the TWWHA Report which states that "The primary concern of managers and other decision makers should be to protect the values of the World Heritage Area."

Buttongrass Ball 2013

The Folk Federation of Tasmania's sixteenth Buttongrass Ball was the usual very enjoyable event, with dancers of all ages – and a big span of ages represented by the musicians as well – having a great time. The bands which provided the music this year were the VerandahCoots and Edie Dawson, a veritable personification of heritage music in Tasmania, and the Tasmanian Heritage Fiddle Ensemble. Dave Wanless selected and called the dances, some of which were traditional Tasmanian numbers.

As in previous years the proceeds of the evening were donated to TNPA- a very generous gesture. TNPA would like to thank all involved: Dave Wanless, the organisers and volunteers from the Folk Federation, the VerandahCoots, Edie Dawson and the Tasmanian Heritage Fiddle Ensemble – and of course all those who went along and kicked up their heels.

TNPA REPORT *By Jenny Scott*

Macquarie Island without rabbits, rats or mice

In 2006-07 TNPA was active in lobbying government for funding to eradicate feral pests on subantarctic Macquarie Island, part of Tasmania and a World Heritage site. The island was being devastated by a big surge in the rabbit population resulting in severe damage to ecosystems, and rats and mice had been causing more subtle long-term impacts, especially to small burrowing birds and invertebrates. In fact it was an article in the TNPA newsletter by Margie Jenkin in 2006 which the local media first became interested in, and from there the campaign kicked off, and quite quickly the issue became of national and international concern. A series of before-and-after photos of rabbit damage on the island's ecosystems was put on the TNPA website and resulted in much interest, both from the media and the public. These photos were part of a long-term research program on the island conducted by Jamie Kirkpatrick and myself, photo-documenting changes in vegetation and landscape over the past 30 or so years with different levels of rabbit grazing damage.

Well, now it is 2014 and there does not appear to be a rabbit, rat or mouse on the island. I am currently privileged to be spending the summer here, conducting the latest phase of our long-term monitoring program. The eradication program, a world first in terms of size and complexity of operations, got underway with aerial baiting in 2010-11, funded half-in-half by the Tasmanian and Commonwealth governments. For the last couple of years there have been teams of MIPEP (Macquarie Island Pest Eradication Project) hunters monitoring the island by day and night, some with trained detector dogs. The Tasmania Parks and Wildlife website has further information about how the program was conducted. There has been little or no sign of a rabbit since the last one was killed in November 2011. For the past year, two rodent-hunter specialists with their trained rodent detector dogs have also been combing the island for any sign of rodents, and no sign has been seen. Soon the program managers and expert advisers will be making a decision as to when the program can be declared a success. A tricky business, with so much at stake…… Biosecurity has been ramped up for people and cargo arriving on the island, and this will need to be rigorously adhered to into the future. The consequences of rodents accidentally being brought to the island again do not bear thinking about, and since the island ecosystems are in a vulnerable state while they recover, there is a heightened potential for invasion by introduced organisms including weeds and pathogens.

The changes in the vegetation are already spectacular, and became noticeable soon after the main baiting program was completed in 2011. I was last here in 2009, when damage was still occurring and severe degradation was widespread. In the 5 years since then, recovery of vegetation has been occurring both on the steep tussock slopes and the short grasslands of the mid-altitude plateau. As well as regrowth of the main large native plant species - the big tussock grass *Poa foliosa*, Macquarie Island cabbage *Stilbocarpa polaris* and the beautiful silvery mega-herb *Pleurophyllum hookeri*, there have been widespread increases in some of the smaller native grass species such as *Agrostis magellanica* and *Festuca contracta*, and rapid and widespread regrowth of another tussock grass, *Poa cookii*, which was targeted even more strongly by rabbits than *Poa foliosa* to the extent that it is appearing now where it was never noticed before. Another species of native tussock, *Poa litorosa*, has historically had a very restricted distribution on the island and was targeted heavily by rabbits in the southern area, and now it appears to be regenerating in the south in an unprecedented fashion where before there were only tiny clumps protected by a wire exclosure. Other plant species protected by Parks and Wildlife during the severe grazing years of the last decade have also been spreading beyond their wire exclosures. All very gratifying. I just hope that there will be sufficient scientific documentation, starting as soon as possible, to adequately record this momentous event. And who knows what is happening to the native invertebrate population now that there are no rodents?

The introduced grass *Poa annua* has been playing what seems to be an important role in initially colonising and stabilising a number of the big bare peat slopes which were devastated by rabbits in the mid to late 2000s – and already *Poa annua* appears to be receding after the rabbit disturbance ceased and the native species are taking over again. Time will tell! *Poa annua* is widespread on the island, and has a long-established presence on the coast in seal wallows and around penguin colonies where seasonal disturbance is a constant, as well as initially colonising sites disturbed by landslips. It also performs a useful role in helping stabilise the walking tracks created and maintained by humans.

Photo 1: Southern slopes of Macquarie Island in 2009 – severe grazing degradation – tussock removal and erosion.

Photo 2: Same slopes as Photo 1, in January 2014 – substantial tussock regrowth and stabilisation of erosion gully, although erosion is still active higher on slopes.

Photo 3: Southwest slopes of Macquarie Island in 2009 – severe grazing of tussock – only dead stumps remain.

Photo 4: Same slopes as Photo 3, in January 2014 – start of tussock regrowth, also new landslipping (occurred in April 2013).

Images: Jenny Scott

Despite the positive vegetation responses, the incidence of land-slipping and sheet and gully erosion seems to be still increasing on slopes which were severely impacted by rabbits, which is a concern. We feel that only time will tell as to whether this aspect of landscape change will stabilise, and how. It may have to do with changing rainfall patterns on the island, and with changes in soil moisture due to removal of the tussock and other vegetation, and other factors which one can only speculate about. Rainfall events have become more intense but less frequent, in comparison to low-level precipitation which was spread over most days.

It is truly extraordinary to travel around the island without seeing any sign of rabbits whatsoever. For many years I have been accustomed to seeing nearly every bare area scruffed about by rabbit diggings, with rabbit footprints everywhere and with rabbits always in sight. Now one only sees human and dog footprints, and on nearly every bare area – a testament to the dedication and thoroughness of the MIPEP team. They have all my admiration for their mental and physical stamina – they are out in all weathers traversing extremely challenging terrain, for weeks on end – in the continuing hope of not finding anything!

Cox Bight and hinterland, South Coast. Recent addition to TWWHA. Image: Catharine Errey

TNPA REPORT *by Jess Feehely*

Why Tasmania needs an EDO

The Environmental Defenders Office (Tasmania) (EDO Tasmania) is part of a national network of community legal centres providing free advice and information regarding environmental and planning laws. In December 2013, Federal funding we have relied upon since 1996 was cut without warning. These cuts threaten the ongoing operation of EDO Tasmania and may mean that this valuable service is not available in future to help communities to protect the places that they love. So, why does Tasmania need an EDO?

Levelling the playing field

Even though Tasmanian laws provide opportunities to participate in resource management decisions, it is often difficult and daunting for people to take advantage of those opportunities and challenge developments proposed by well-resourced opponents.

EDO Tasmania assists by providing clear advice, assisting community members to draft representations regarding proposed developments and representing individuals and community groups in the Tribunal or the Planning Commission.

Our involvement has helped to prevent the canal estate at Ralphs Bay, protect residents from industrial pollution, oppose mining in the Tarkine and improve conditions at salmon farms. EDO Tasmania has also assisted TNPA in its various challenges regarding tourist developments at Cockle Creek, Pumphouse Point and Crescent Bay.

More efficient appeal system

EDO Tasmania also plays an important role in discouraging people from commencing appeals which have no prospect of success. In those cases where we do represent clients, our assistance helps to ensure that the case is run efficiently and professionally.

Better information, better participation

EDO Tasmania produces a number of practical education resources to improve public awareness of environmental laws. Understanding the law can help you to identify breaches, take advantage of consultation opportunities, request further information and to contact the right people.

Good governance

For small environmental NGOs, governance issues can seem like a mine field. EDO Tasmania can assist with questions regarding incorporation, reviewing your Constitution, grant reporting obligations or changes to workplace safety requirements.

Law reform

EDO Tasmania makes submissions in relation to proposed changes to laws – defending the protections we have, and advocating for more effective protection to ensure that Tasmania's environment is managed sustainably.

Visit our website at www.edotas.org.au to find out more about our work, and how you can help to support EDO Tasmania.

TNPA REPORT

Mine Approval Processes in the Tarkine

The following article is based on a presentation given by Jan McDonald, Professor of Environmental Law at the University of Tasmania, at the Tarkine slide night, a TNPA fundraiser held in October 2013.

Background Facts

- Tarkine region is 400,000 – 500,000 hectares
- Even though 80% of the area is protected from logging only 5% is protected from mining.
- Listed threatened species found in the area include the Tasmanian devil, spotted-tailed quoll, wedge-tailed eagle, masked owl, white-bellied sea eagle, azure kingfisher and giant freshwater crayfish.
- In Dec 2009 then Federal Environment Minister Peter Garrett gave the area Emergency National Heritage listing.
- This listing lapsed in 2011. The Australian Heritage Council (AHC) conducted a new assessment and recommended listing a large area (433,000ha) on the basis of **rainforest, lichen, fossil flora, wilderness, aesthetic, magnesite karst and Aboriginal National Heritage Values.**
- The Tasmanian Government's submission to the Minister (Tony Burke) opposed the listing on a number of grounds, principally relating to the importance to the State of both revenue and jobs from mining, citing the depressed state of the region as well as a general decline in jobs in forestry and agriculture in Tasmania. The Government also argued that $48 million had already been invested in mining exploration in the area and that 4 of 8 proposals were already at an advanced stage of assessment.

Mining Proposals

- There are currently over 50 exploration licences within the Tarkine area and 10 mines have been proposed over the 2012 – 2017 period (9 of these are open cut)

State Approvals Processes for New Mines

- Mineral Resources Development Act 1995 (Tas)
- Land Use Planning and Assessment Act 1993 (Tas) – development approval
- Environmental Management & Pollution Control Act 1994 (Tas) – EIA requirements

All statutes apply on a case by case basis when a new proposal is submitted for approval. For example the Shree Minerals mine proposal estimates that the mine will cause destruction of habitat for 0.4 – 1.5 Tasmanian devils and that roadkill deaths will be 1.6 devils and 0.3 spotted-tailed quolls per annum.

The Tasmanian framework does not allow for consideration of *future impacts* from additional proposals – only the impacts of the proposal under consideration. For example, in assessing Venture Minerals' Riley Creek mine, the EPA did not take into consideration the fact that Riley Creek is only one of three mines proposed by Venture. The Tasmanian Planning Appeals Tribunal held that it was under no duty to do so because these proposals (and impacts) were speculative.

Commonwealth Approvals Processes

Commonwealth assessment has been based on the potential impacts on threatened and migratory species.

Under the EPBC Act, the Minister is required to consider, among other things, the combined impacts of actions. Action likely to have a significant impact on:

- listed threatened species and communities (ss18, 18A)
- listed migratory species (ss20, 20A)

Significant Impact Guidelines 2009

- "The proposed action should be considered at its broadest possible scope. This includes all stages and components of the action, all related activities, and all related infrastructure such as roads and powerlines, if applicable.
- If the action consists of a series of activities or a number of related activities, you should consider the impacts of each activity, and then consider the combined impacts of those activities.

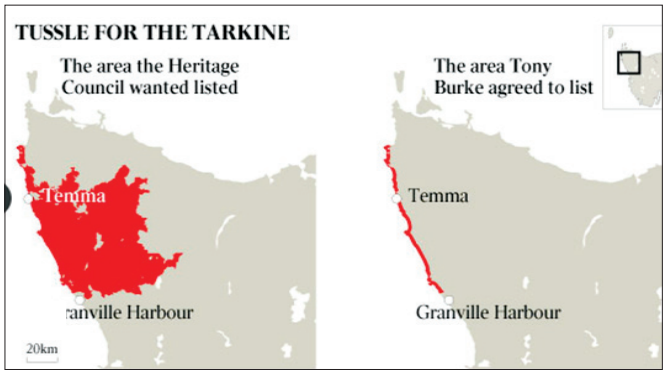

Image Source: The Australian

Tasmanian Devil in the Tarkine region. Image: Tarkine Devil Project

Tasmanian Devil in the Tarkine region. Image captured using infrared camera. Image: Tarkine Devil Project

- It is also necessary and important to consider off-site and indirect impacts of your proposed action on matters of national environmental significance"

Tarkine National Coalition Incorporated v Minister for Sustainability, Environment, Water, Population & Communities [2013] FCA 694

Legal challenge to Minister's approval of the Shree Minerals proposal. The Federal Court held that the Minister, Tony Burke, had failed to consider Tasmanian devil conservation advice when making his decision regarding the National Heritage listing for the area. This is an express requirement of the EPBC Act. The decision was returned to the Minister who formally considered the conservation advice and approved the proposal on the same conditions.

The Abbott Government has introduced an amendment to the EPBC Act that would retrospectively validate all approvals that have been granted without express consideration of conservation advice, and remove the requirement for conservation advice to be expressly considered.

TNPA update and clarification:

- In December 2013 the Abbott government's amendment to the EPBC Act was amended so that it only applies to decisions made prior to 31 December 2013. i.e. it has been changed from a broad removal of the requirement for conservation advice to be expressly considered to a much more restricted attempt to protect the Shree Minerals approval from further legal challenges. Refer to separate article in this TNPA News for further discussion.
- The roadkill deaths estimated for the Shree Minerals proposal result mainly from Shree's intention to transport ore by truck to the north-west coast for shipping. In contrast, Venture Minerals proposes to transport ore by truck only a short distance to the Emu Bay Railway. The greatest threat of cumulative impact on devils comes from other potential Tarkine mines which are yet to enter the formal assessment process.

TNPA UPDATE

Abbott government's amendment to commonwealth environmental legislation - the Environment Protection and Biodiversity Conservation Act (EPBC)

The proposed amendment (likely to pass the Senate as soon as it resumes sitting in 2014) relates mainly to the Minister's obligation under EPBC s139 to "have regard to any approved conservation advice" when making a decision in accordance with the requirements of the EPBC Act.

The amendment was prompted by the Tarkine National Coalition's challenge to the EPBC approval of the Shree Minerals iron ore mine in the Tarkine on the basis that one legal interpretation of "have regard to" is "must act exactly in accordance with". Acting exactly in accordance with the Minister's conservation advice would probably have required the Minister to refuse to grant a permit (see report on previous page).

The Abbott government initially proposed to remove altogether the requirement to "have regard to any approved conservation advice". However, the bill has already been amended to apply only to approvals prior to 31 December 2013 – so its only effect is to protect the Shree permit from further appeals on these grounds.

It is outrageous that the government should even contemplate that, in any circumstances, the Minister should not be required to have regard to any approved conservation advice when making a decision in accordance with the requirements of the EPBC Act, but the current amendment is of little practical concern because its effect is so limited. The real concern is what the Abbott government may do to the EPBC Act once they have control of the Senate after July this year.

Explanation: The Shree Minerals iron ore mine in the north west extremity of the Tarkine is a very small mine – the product will be transported by truck on existing roads through some quite wild country which still has a healthy devil population. The mine site is smaller than the territory of a single pair of devils so the onsite impacts are minimal – the main impact will be offsite – roadkill by trucks transporting the ore. In the case of the threatened Tasmanian devil any additional mortalities are obviously undesirable (the Minister's conservation advice was probably to avoid any additional mortalities) but no reputable zoologist will be prepared to state that a few additional roadkill deaths will have a quantifiable effect on the extinction risk for the species.

TNPA UPDATE

Review of the Tasmanian Coastal Policy

South Coast, Tasmania. Image: Catharine Errey

2013 saw a major review of the Tasmanian Coastal Policy. This policy is one of Tasmania's three State Policies, recognising the importance of Tasmania's coast environmentally as well as economically and socially.

The current policy dates to 1996, and is long overdue for review. The Tasmanian Planning Commission has urged that the State Coastal Policy be revised as it has some significant problems, with two of the key problems being the arbitrary 1km from the sea definition of coast and the complexity of aims and objectives which in many cases are conflicting. An attempt was made in 2008, but the revised policy was rejected.

The present government has supported a review, but has taken a different approach, which looks to establish a 'coastal policy statement', in essence a framework, which it is hoped will indicate whether a new policy is required or whether the policy will in effect be the statement plus an implementation plan. This new policy review is being undertaken by the Policy Division of the Department of Premier and Cabinet.

To this end the government released a *Draft Coastal Policy Statement* for public comment in July 2013. The government also held a series of workshops to discuss the draft statement. TNPA attended the ENGO and natural resource management workshop in Hobart and also made a written submission (see TNPA website).

Copies of submissions and a summary of consultation comment can be viewed on http://www.dpac.tas.gov.au/division/policy/Coastal_Protection_and_Planning_Framework.

According to the consultation summary, submissions supported many of the draft vision and principles and approaches of the Draft Statement, in particular the importance of a Coastal Policy, the desirability of having a coastal zone defined on the basis of natural attributes, and the importance of recognising the environmental sensitivity of coastal zones. Particular concerns of the TNPA and other environmental groups is to see ambiguous language removed, to see the Precautionary Principle included as a key principle, and the proposal for 'minimal regulation'. The TNPA has also advocated a values-based sensitivity zoning to determine where development is/is not appropriate, rather than one based on the degree of existing modification as currently proposed.

A revised *Draft Tasmanian Coastal Policy Statement* was due out by the end of 2013, but this has not eventuated. Given the raft of legislation and legislative amendments before Parliament in November and December 2013, and now the March 2013 election with the fast tracking of Pulp Mill legislation before March, it seems unlikely that the government's coastal policy review will be further progressed before the election, and is unlikely to be pursued in the long term unless a Labor government is returned.

Mt Wellington track towards Mt Montague. Image: Nick Sawyer

TNPA UPDATE

Wellington to ~~Wilderness~~ Glenorchy

TNPA News #17 carried a report on the proposed Wellington to Wilderness long distance trail. To quote from the report: "Several years ago Bob Brown proposed a long distance walking track from the Wellington Range to the World Heritage Area through the then threatened forests in between."

The Wellington Park Management Trust (WPMT) subsequently obtained funding to engage consultants to undertake a feasibility study on the proposal. A reference group was established and TNPA was represented on this group.

The group came to the conclusion that there were plenty of more interesting existing and proposed long distance walk possibilities in Tasmania than the proposed Wellington to Wilderness walk.

The brief was then widened to consider essentially any recreational options in the same general area. The main criterion for any proposal was economic viability, with a view to attracting tourists to the State, justifying the expenditure on the project.

The NSW based recreation planning consultancy TRC Tourism examined the market demand for a range of 'concepts', including bushwalking, horse-riding and mountain bike trails.

To quote from TRC's report:

Basic Premise

Any new trails will have to appeal to new markets such as domestic interstate visitors or international visitors and, to a lesser extent, intrastate visitors.

High quality experiences and investment in services that support tourism will be necessary to draw new visitors to the Wellington to Wilderness Corridor and increase economic benefits to the community.

The Draft Feasibility Study (which was released to the reference group for feedback) confirmed that there was little interest in any multi-day linear track and considered various options between the Wellington Range and Maydena, including loop tracks for mountain biking and horse-riding.

The final feasibility study that was eventually released in January 2014 (without the possibility of further comment) was a far cry from the draft which was considered by the reference group. The major recommendation was for an "epic" mountain bike track in Wellington Park.

The Wellington to Wilderness Feasibility Study and Overview November 2013 states that:

Map showing proposed options for Mt Wellington Epic Ride. Note that the Glenorchy to The Springs section already exists.

See also front cover image.

Mountain bikers are the largest and fastest growing user group. There is a possibility that the concept could include an "iconic ride" for mountain bikers that would attract significant interest from interstate and overseas.

This proposal took the reference group by surprise because it had not received serious consideration in the Draft Feasibility Study. The other recommendation, which was considered less attractive as well as being dependent on other developments, was for the previously considered Maydena Adventure Hub/rail trail.

The TNPA would be most concerned if the feasibility study process is ever misrepresented as having canvassed community support for the 'epic' bike trail, since it was not reviewed by the reference group established by WPMT, nor was the broader community given the opportunity to consider the concept.

The accompanying map shows the two alternative proposed routes for the 'Epic Ride'. TNPA is particularly concerned that Route A would encroach on the most remote part of Mount Wellington, a rugged area that has no developed tracks. It is also worth noting that a large part of this area is drinking water catchment. Any track construction in this terrain would be difficult and costly. Route B would be the more acceptable option.

Note that the 'Epic Ride' is currently only the recommendation of a feasibility study. Before it could proceed it would require further examination by the relevant management agencies, and appropriate planning approvals.

Thank you for standing up for the places and wildlife you love!

Last year, you stood up for the places and wildlife you love.

Collectively, thanks to your support, we defended the laws that protect nature.

On behalf of our vibrant reefs, ancient rainforests, familiar bushland and iconic beaches, plus all of the native animals that call these places home – thank you.

Your support comes at a time when the places and wildlife we all love have never been more threatened.

Right now, big business, led by the mining industry, have pressured the Federal Government to implement an aggressive plan to unwind our country's system of environmental laws.

Environmental approvals that should remain with the federal government, are potentially going to state governments. Whilst we have managed to stave off this handover as a result of your help, the Federal Government have stated they intend to implement their agenda within their first year.

Without robust national laws delivered by the Federal Government in the national interest, the places and wildlife we love will be exposed to irreversible damage.

The Places You Love alliance is working hard to make sure that whatever happens, our environment gets the protection it needs. This is no easy feat, so we are researching, organising and mobilising for a big year in 2014.

We are the largest alliance of environment organisations in our nation's history, and we are fuelled by people power - passionate people like you, who are willing to stand up.

By supporting the Places You Love alliance, you are part of a growing movement of over 1.5 million Australians who are champions for the irreplaceable landscapes and native animals that define Australia – and the laws that protect them.

Learn more at http://placesyoulove.org

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Meetings
Management Committee meetings are usually held one Monday each month at 5:30 pm. Members and supporters are welcome. Meeting dates and venue will be advertised in each TNPA Communique or please check with the Secretariat.

Have your say...

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TNPA News

TNPA News is published twice a year. It aims to provide informative articles on issues related to national parks and other reserves, as well as updates on TNPA activities and campaigns. The views expressed in TNPA News are not necessarily those of the TNPA Inc. For this issue many thanks to ": Robert Campbell, Jess Feehely, Anne McConnell, Jan McDonald, Jenny Scott and Nick Sawyer. Original articles in TNPA News may be reproduced , but please acknowledge the author and the source. Contributions for TNPA News No. 19 are welcomed (deadline mid June 2014). Please send contributions to admin@tnpa.asn.au (attention: TNPA News editor).

This newsletter was correct as at 2 February 2014.

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Newsletter production by: Ricoh Business Centre Hobart