

4 February 2004  
**Dr Neil Byron**  
**Presiding Commissioner**  
**Productivity Commission**  
**Locked Bag 2 Collins Street East**  
**Melbourne VIC 8003**

**re: Impacts of Native Vegetation and Biodiversity Regulations**

Dear Sir,

Thank you for the opportunity to comment on the draft report on this inquiry, released in December 2003.

The Tasmanian Farmers and Graziers Association (TFGA) wishes to compliment the Productivity Commission on a very solid draft report, in terms of the range of issues considered, the quality of analysis and the clarity and logic of recommendations.

The TFGA strongly endorses all of the Draft Recommendations in the Draft Report. Specific comment is as follows.

**1. Draft Recommendations 1 and 3**

*Rec 1: Regulation impact statements should be prepared before implementing native vegetation and biodiversity policy.*

*Rec 3: Ongoing efforts are required to improve the quality of the data and science on which policy decisions are based.*

It goes without saying that good policy decisions relating to biodiversity conservation must be based on good data and sound science. Equally it is the case that policy decisions usually have to be made in the absence of perfect information, given that problems can usually be seen coming before causes and likely dimensions are fully understood and appropriate responses clear. In the circumstances good policy process is logically a case of successive approximation, with initial broad policy settings being followed by progressively finer settings.

The so-called precautionary principle is often invoked to justify strict regulation of land use activity for biodiversity conservation purposes, in the absence of clear supportive data, invariably by those who do not have to wear the direct financial costs of that regulation. There needs to be adoption by Government of a balancing principle which limits this approach where regulation will result in significant financial imposts on land owners until clear supportive data is obtained. In the absence of a discipline of this kind on Government, there will continue to be limited motivation for Government to undertake the systematic and focussed data collection that good policy development and refinement calls for.

***The TFGA urges the Productivity Commission to include a recommendation in its final report, that until good data is collected to demonstrate the actuality of a native vegetation or biodiversity problem and the need for specific regulatory measures, regulations be maintained at a general level with a view to limiting the economic impact on individual land owners. In other words, the level of regulation needs to be linked directly to the degree to which the problem is demonstrated by good data and science.***

## **2. Draft Recommendations 5 and 7**

*Rec 5: Greater use should be made of the knowledge of landholders and local communities.*

*Rec 7: Landholders and local communities should be given greater autonomy to devise and possibly implement innovative solutions to regional environmental issues.*

There can be no doubt that land owners and local communities together possess substantial knowledge about the natural values and processes in their localities. The knowledge may not be expressed in the way that scientific specialists would express it, and there may on occasion be misconceptions in relation to particular issues, but most people will respond well to correction if this is undertaken with sensitivity.

Equally to the point, land owners and local communities are usually in a position to provide informed views on how particular conservation measures might best be implemented and, in many cases, to undertake necessary work most effectively and efficiently.

On the other hand, it is not necessarily the case that land owners and the “local community” will agree on appropriate policy and measures in all instances, given that the former generally have to carry the direct cost of regulatory measures relating to land use. This is particularly the case where new people move for lifestyle reasons, into localities which have been and remain largely farming districts, something we are seeing increasingly frequently in parts of Tasmania.

The TFGA believes that Government needs to distinguish between land owners and other community members in approaching policy on native vegetation and biodiversity conservation, and attach appropriate weight to the knowledge of the former in particular.

***The TFGA urges the Productivity Commission to make a distinction between land owners and other community members with regard to involvement in development and implementation of conservation measures, and to recognise the particular significance of land owners as people who carry the immediate economic cost of regulation and as people who can have the most immediate impact on conservation values – beneficial or adverse.***

### ***3. Equal weighting for economic, social and environmental factors in policy development***

There can be no doubt that good native vegetation and biodiversity conservation policy must reflect a balance of consideration for economic, social and environmental concerns. To the extent that any of these is under-valued relative to the others we are likely to get bad policy, and therefore unsatisfactory environmental outcomes.

It is clear from the Draft Report that the Productivity Commission accepts the importance of economic and social considerations in environmental policy development, and in how impacts are shared between land owners and other parts of the economy and society. However the TFGA believes that the message the report delivers to Government will be improved by inclusion of an explicit statement to the effect that native vegetation and biodiversity policy development should be based on a process which gives equal weighting to economic, social and environmental factors.

***The TFGA urges the Productivity Commission to include a recommendation in its final report that policy development in the area of native vegetation and biodiversity should be based on allocation of equal weighting to economic, social and environmental factors.***

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brendon Thompson', written in a cursive style.

***Brendon Thompson  
President***