



The Hon. Tony Burke MP

T R A N S C R I P T

## Press Conference

Subjects: alpine grazing – mining proposal in Tasmania

E&OE Transcript

Press conference, 18 March 2011

**TONY BURKE:** There's a couple of environmental decisions that I've taken today, one relating to cattle grazing in the Alpine National Park and another one relating to a mining application in the area in Tasmania known as the Tarkine. I made that decision last night. I've made the cattle grazing decision a few moments ago.

If I can deal first of all with the decision on cattle in the Alpine National Park. As many of you would be aware, in January of this year the Victorian Government reintroduced cattle grazing into the Alpine National Park. They claimed it was part of a research trial. From that moment on my department has been trying to get information from the Victorian Government as to why they had not first referred the matter for an environmental assessment or for environmental approvals at the federal level.

A couple of weeks ago I gave them the deadline to be able to provide everything that they had to explain why they had not sought approval. The information that has eventually come back from the Victorian Government is a joke. The most simple requests such as, and this is a request we made on 13 January this year, can we have a copy of the grazing trial research project proposal. The response received, no. Date provided, never.

You go through what measures have they taken, this was on 20 January, what measures have they taken to protect matters of national environmental significance, including fences or landscaping methods to protect areas. No information ever provided in detail on this.

Other information's been provided on a partial basis, but for something that is meant to be a university research project, we're provided documentation that wouldn't pass as high school science homework.

The Victorian Government, after I received the advice from my Department and gone through it today, is in a position now where, by 8 April, fifteen business days, either they formally refer it to me or I will deem it referred anyway.

By 8 April this will be before us for an environmental approval process. By 8 April the cattle must be out of the Alpine National Park.

We'll then go through the process that should have happened back in January; the process which Australian businesses go through all the time, but for some reason the Victorian Government thought they were above.

When we go through those processes we will apply national environmental law and my Department, in providing advice to me, will provide advice based on national environmental law, but we cannot have a situation where the Victorian Government wants to treat national parks as though the environment's a joke.

No Australian farmer on their own property would ignore matters of national environmental significance the way it's being ignored in that national park. I spent a lot of time over the last three years when I was agriculture minister visiting farmers and seeing the good environmental work they do on their land. Without exception they would protect the areas of environmental value on their land. Instead, in a national park, we've got cattle stomping all over areas of national environmental significance.

The second issue that I've had to make a decision on today is whether or not there will be a formal environment assessment process for a mining application in Tasmania in the area often referred to as the Tarkine.

There was a request some time ago that I have an emergency heritage listing in place. I received advice a while ago, and I've reported this previously, that the advice said an emergency heritage listing would make no difference to this application; therefore we didn't proceed with that.

Having had a look at whether matters of national environmental significance will be affected, the answer is that it is appropriate for there to be an assessment on this. Ordinarily we have bilateral agreements in place with the states. On this occasion we don't currently have one in place with Tasmania. Therefore, I've taken the decision to go for a full environmental impact statement for the Shree mining proposal within the Tarkine and that process will now go ahead.

Any questions?

**REPORTER:** Minister, what options are available to you if the Victorian Government doesn't get cattle out of the park by 8 April?

**TONY BURKE:** If the Victorian Government does not do that, then we have the full force of national environmental law. There are serious offence provisions within there. They go to a series of very hefty fines. It would be an extraordinary situation

for a body that calls itself a government to ignore the correspondence they've received from me today.

**REPORTER:** Have you been in touch with them about your response?

**TONY BURKE:** I've written to them, so that's faxed across to them.

**REPORTER:** Is there a possibility that you would need to legislate to override the Victorian's decision?

**TONY BURKE:** I'm not going to prejudge the next stage of it. Right at the moment there is no doubt they have to refer it now.

It needs a full environmental assessment, a full assessment needs to go through under national environmental law and that will take some time to work through. During that entire period we are guaranteed it would be unlawful for them to be grazing cattle in the Alpine National Park.

But aside from all the legalities of this, let's not forget the principle. It's a national park, not a farm. Cattle never should have been put there in the first place.

**REPORTER:** It certainly seems like the Victorian Government's gone about this entirely in the wrong way if they wanted a sympathetic response from yourself and your office.

**TONY BURKE:** Every Australian company and every other state, when something like this is happening, particularly in an area designated for protection, checks with the Department, refers the matters to us, tries to make sure they're on the right side of the law.

For reasons I do not comprehend, Victoria decided that they didn't really care whether they were on the right side of the law. Well now, by 8 April, they will be.

**REPORTER:** Why do you think that has been? Why do you think that - you're obviously very unsatisfied with the response that the Government made you. Why do you think that has been? Are they [inaudible]?

**TONY BURKE:** I can't for the life of me understand how Victoria went down this path. The principles, when you're looking at areas for environmental protection, national parks aren't a bad starting point and to pick your first area that you're going to disregard as a national park is something that you would hope was unthinkable. It was exactly what the Victorian Government decided to do as one of their first actions.

To decide that you wouldn't do a reference, which every Australian company knows they're not above national law, Victoria decided that maybe they were. Well they're now in for a shock. They're not above the law and by 8 April the cattle will be out and the matter will be referred.

**REPORTER:** Has their behaviour been insulting towards the government or the environment?

**TONY BURKE:** Yeah, look, I really don't care if they want to insult me. I do care if they want to have cattle stomping all over an endangered wetland and I've seen that in that national park.

**REPORTER:** On to the Tarkine, can you explain a bit more about where they're at now? So you're asking for an environmental assessment [inaudible]?

**TONY BURKE:** This is a business that has done what every Australian business did, which is the opposite of what Victoria did, and that's before they want to proceed with a proposal they write to us and check whether or not it's going to need an approval process under national environmental law.

There's a number of endangered species in the area, most importantly in the public mind I think would be the Tassie Devil. This is one of the parts of Tasmania where the tumour disease that's currently afflicting the Tassie Devil actually hasn't hit yet. The population there is still quite healthy.

So there's a very high degree of sensitivity for endangered species there. It's an ore mine that's being proposed. It has a significant footprint beyond the mine in terms of the area that would be disturbed. Not all of the area triggers matters of national environmental significance, but a lot of it does.

So what happens now is my Department will give them very specific directions on what they need to be checking in the environmental assessment. There will be a large process of public consultation and then that report, that environmental impact statement, will be presented to my Department for my Department to provide me with advice.

I don't know whether it will pass the test or fail the test, I'm not going to prejudge it but that's the process from here.

**REPORTER:** Just finally, would you prefer to see [inaudible] support included in a carbon pricing mechanism, as Ross Garnaut advocated yesterday?

**TONY BURKE:** You'd have to refer those matters to Greg Combet as the Minister for Climate Change. I'm not going to get in front on that debate. He's the one with the lead there.

Thank you.

**REPORTER:** Thank you, Minister.

**ENDS**