

Status of Brushy Rivulet

Key information

- There is no natural resource-related **legislative** impediment to constructing a facility on the Brushy Rivulet site.
- Community concerns are likely to be raised regarding possible threatened species impacts. Most of these can be readily addressed.
- The presence of an eagle nest adjacent to the property may place constraints on the area available for construction. **Section 26**
- **Section 26**
- If it is determined that compliance with the guidelines is preferred then approximately 15ha is available to be cleared for building and associated cleared areas, including carpark. **Section 26**

Background

The property at Brushy Rivulet was purchased by the Crown for \$75,000 in 1999 with funds from the Commonwealth Private Forest Reserves Program (established as part of the Regional Forest Agreement). The Crown had intended to purchase the property, place a conservation covenant on it, and subsequently sell it.

The Commonwealth agreed to fund the purchase on the basis that the site was thought to contain a threatened native vegetation community.

The Crown subsequently made the decision to gift the land to the Tasmanian Land Conservancy (TLC) as a contribution to one of that organisation's revolving funds (whereby land is acquired by the TLC, covenanted to protect natural values and then made available for sale, with profit returned to the revolving fund).

In 2009 negotiations were entered into between DPIPWE and the TLC to transfer this property and a second parcel of land at Randalls Bay. This intention was made public in the Government Gazette by then Minister D O'Byrne in August 2010 and the properties were offered to the TLC in February 2011.

The transfer of the land at Randalls Bay proceeded, but TLC requested that the transfer of the land at Westbury be delayed, in part due to concerns that the land contained a significant weed infestation (gorse), and also because of the complexity of obtaining approval from the Department of Infrastructure, Energy and Resources (now State Growth) for traffic access from Birralee Rd.

In 2015 TLC sought to re-start the land transfer process.

As part of this process the proposal was presented to DPIPWE's Property Assessment Group (PAG). PAG reviews covenant proposals to consider whether they should be recommended to the Minister for inclusion in the private reserve system via covenanting under the *Nature Conservation Act 2002*. The PAG consists of staff from DPIPWE, TLC, FPA and members of the public. When presented in 2015 PAG included James Hattam (then of DPIPWE but now of TLC) and members of the public Mr Fred Duncan (botanist) and Mr Andrew Cameron (private landowner and TLC Board member).

In preparation for this presentation TLC undertook a new site survey, which determined that the site did **not** contain a threatened native vegetation community. The high priority threatened plant species had also been downlisted from "endangered" to "rare" by this time.

Nevertheless, TLC indicated it wished to continue with the transfer, and DPIPWE prepared in 2017:

- A draft Nature Conservation Plan (effectively a property management plan that sets out what the owner can and cannot do in relation to natural and other property values); and
- A draft Covenant

Current situation

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TLC has regularly sought information on progress, including on 1 April 2020. TLC's Property Committee (which includes DPIPWE representation) meets every four months, and this property is on the agenda for noting/update at each meeting.

That is, the proposal continues to be effectively in the public domain and there is an assumption by TLC that the land transfer will proceed.

The land is currently classified as "Informal Reserve" and as such makes a 74.5ha contribution to the Tasmanian Reserve Estate (TRE). The total figure of the Estate is reported annually and therefore any reduction may be questioned. This is not an impediment to a change of land use.

Risks

TLC response

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However, TLC has made investments on the property in anticipation of eventually acquiring it.

These include site survey work, weed control and successfully negotiating traffic management options with the Department of State Growth. TLC is also an important service delivery partner for

DPIPWE (specifically the Land for Wildlife program, as well as delivering elements of the Private Land Conservation Program (covenanting) through a Grant Deed).

In addition, TLC operates several revolving funds, including one with specific DPIPWE involvement and support. It was agreed by TLC and DPIPWE that funds raised from the eventual sale of the land at Westbury would contribute to the DPIPWE revolving fund. **Section 26**

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Legal risks – Threatened Species

There is no natural values-related legal impediment to the construction of a facility at Brushy Rivulet.

Flora

The land *contains* two threatened flora species listed under the Tasmanian *Threatened Species Protection Act 1995* (Blue pincushion and Handsome hooksedge). Blue pincushion was once considered “endangered” but in the past 20 years has been found to more abundant than thought, and has been downlisted to “rare”. The hooksedge is listed as “rare”. Neither is listed under Commonwealth legislation.

Permits (both with and without mitigation requirements) to take both species have previously been granted for developments. Mitigation typically involves the collection of seed from the species at the development site and either its banking (eg RTBG seed bank) or propagation for establishment / revegetation post-development. Both are relatively easy, but can only occur at the time of seed maturity (summer). The hooksedge can also be propagated by division.

Fauna

There is a wedge-tailed eagle nest record on private property within 50m of the Brushy Rivulet boundary.

The site was surveyed on Sunday 15 March 2020. The eagle nest was identified as being in good condition and approximately 25m above ground level. It was not possible to determine if the nest has been recently used but its overall condition suggests it is not a very old nest ie it contains relatively new sticks, and no signs of moss.

The Department typically and regularly recommends that developments (both their construction and operation) within 500m / 1000m line-of-sight of an eagle nest do not occur during the breeding season (July-January inclusive) in order to minimise breeding disruption.

For a facility of this kind with continual movement (and the likelihood of specific 24-hour lighting requirements) it would normally be *recommended* that the facility not be developed within 500m/1000m line-of-site.

The vegetation on the property upslope from the nest is relatively tall and moderately dense. This provides an effective screen such that actual line of sight under normal light does not extend beyond the 500m zone. This means that vegetation would need to be retained within the 500m zone to maintain that line-of-site barrier. It is not possible to tell whether high-powered lights such as those that may be required for security purposes, would be visible beyond the 500m zone.

The area of the property in the south-west outside actual line of site and outside 500m is approximately 300mx540m (ie 15 ha). This area is the equivalent of the current Risdon Prison Maximum Security footprint including a 100m buffer on two sides. It does not, however, allow for a 400m access road as is the case with Risdon Prison.

For bushfire setback, a 2ha carpark at the north eastern end of the building envelope would provide 100m of bare ground between the retained vegetation and the facility.

Property perimeter fencing would need to be installed outside the breeding season, and would require the clearance of a significant amount of vegetation to ensure fence security and integrity.

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It should be noted that while the destruction of an eagle nest without a permit is prohibited by the *Nature Conservation Act 2002*, there is no law preventing activities within the 500m/1000m line of sight zone. Instead, recommendations to avoid disturbance are often given effect through other mechanisms, such as permits issued through local government approvals processes.

It should also be noted that there are three other eagle nest records from within 4km of the property and it is therefore likely that the eagle pair at Brushy Rivulet have built multiple nests in their territory. It is possible that the nest adjacent to the property may not be used in the coming breeding season, which would allow construction to continue without issue. It is also possible that should construction commence prior to July it may act as a deterrent to nest use.

Depending on design it may also be the case that once constructed the facility presents very little visual disturbance to the north of the site (ie towards the nest), and that access roads can be screened by trees or fencing (subject to security requirements).

There is an eagle nest within 1.3km of the Risdon Prison, and one within 1.2km of the Ashley facility.

Perception risks

DPIPWE has received inquiries from members of the public opposed to the development of a new facility at Westbury regarding the distribution and status of threatened species, and the potential for the presence of threatened species to prevent the development occurring.

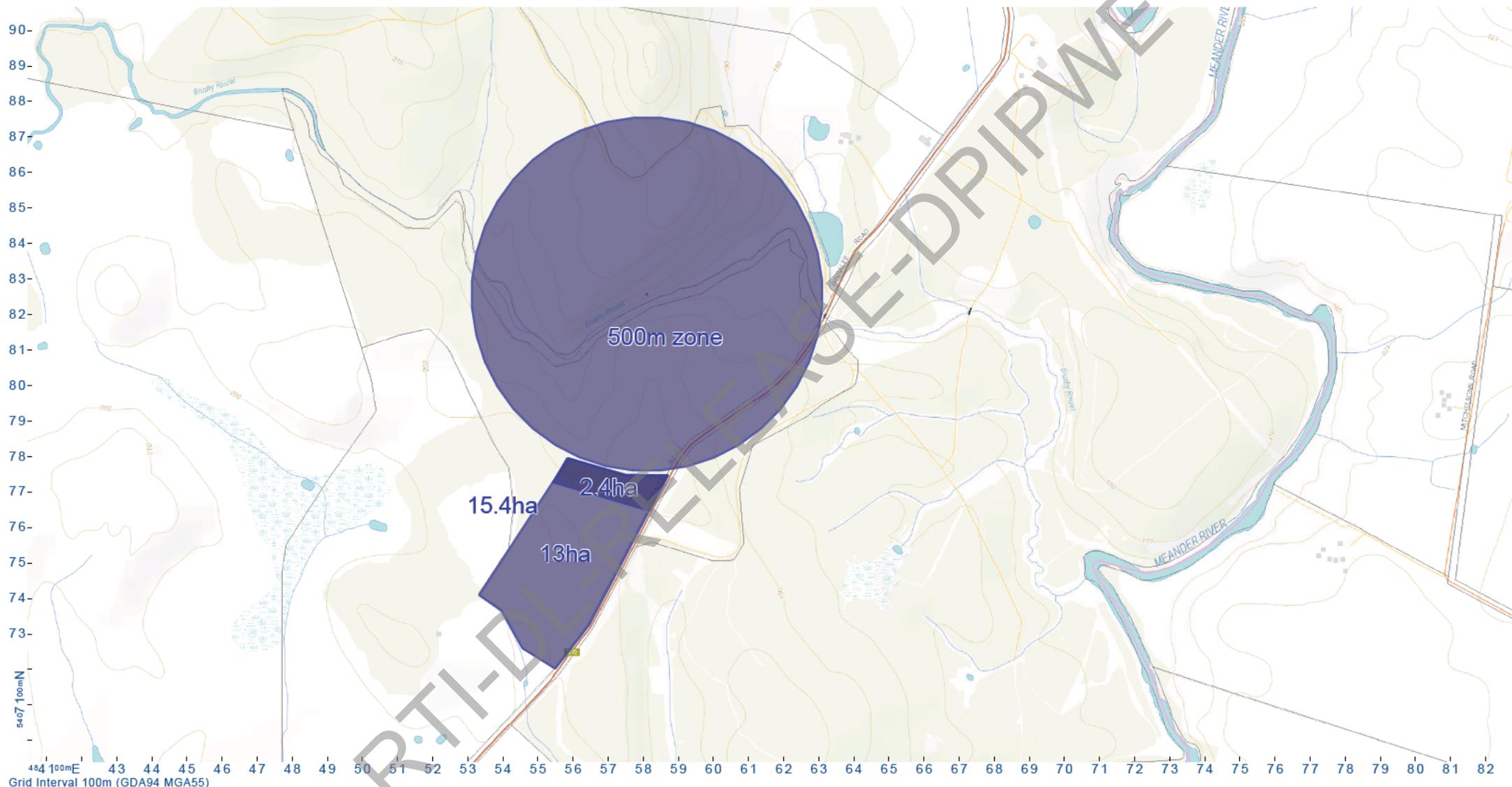
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The 500m zone contains at least 15 older trees supporting hollows which may provide roosting/breeding habitat for the Tasmanian masked owl. Inspection on 15 March 2020 of the bases of 12 of these trees did not identify any owl-related material (eg scats).

The vegetated area outside the 500m zone (ie in the potential building footprint) has been previously selectively logged and there are few if any large trees with hollows in this area. A more thorough survey is required to confirm this. This can occur at any time of the year.

Similarly, it is possible the site also contains the Tasmanian devil and the Eastern barred bandicoot, both of which have been recorded in very close proximity to the property. This property does not appear to contain any accumulations of fallen trees or other habitat suitable for devil denning, so it seems more likely that this species traverses the area rather than breeding in it. A more thorough survey is required to confirm this, which can occur at any time of year.

RTI-DL-RELEASED-DPIPWE



Out of scope

From: Clancy, Patrick (DPaC) <Patrick.Clancy@dpac.tas.gov.au>
Sent: Wednesday, 24 June 2020 8:57 AM
To: Baker, Tim <Tim.Baker@dpiwwe.tas.gov.au>
Subject: RE: Revised Site Proposal for the Proposed Northern Prison for Tasmania

Thanks Tim.

From: Baker, Tim <Tim.Baker@dpiwwe.tas.gov.au>
Sent: Wednesday, 24 June 2020 8:52 AM
To: Clancy, Patrick (DPaC) <Patrick.Clancy@dpac.tas.gov.au>
Cc: Reid, Anthony (DPaC) <Anthony.Reid@dpac.tas.gov.au>; Finch, Andrew (DPaC) <Andrew.Finch@dpac.tas.gov.au>
Subject: RE: Revised Site Proposal for the Proposed Northern Prison for Tasmania

- The issues raised in correspondence received by this Government on the status of the land at Birralee Road are broadly consistent with those that have been raised elsewhere – and are based on the same misunderstandings:
 - The site was originally purchased from a private landholder because it was believed it contained a specific forest type which had been significantly reduced by agricultural development and was not well reserved. **HOWEVER**, subsequent investigation revealed that the site **DID NOT** contain this forest type, but instead a similar **BUT NOT THREATENED** forest type. The cause of this initial error is not clear, but there is no criticism of those who undertook the initial assessments.
 - The site does not contain pristine forest, but shows evidence of a very long history of timber harvesting and more recently illegal firewood collection, stock grazing, rubbish dumping and shooting.
 - The site has not been actively managed by the Crown, and is not the responsibility of DPIWWE's Private Land Conservation Program. The site does not contain the values for which it was originally purchased, and indeed for more than a decade consideration has been given to allowing the land to be sold, with the intention of allowing a portion of the land to be cleared for a residence.
 - The Government's proposal is consistent with that approach. The prison's proposed design will occupy less than one quarter (approximately 15 hectare) of the 70 hectare site, with the remaining vegetation to be retained. That would provide an opportunity for the remaining area to be formally reserved and given the protection it currently does not enjoy.

From: Clancy, Patrick (DPaC) <Patrick.Clancy@dpac.tas.gov.au>
Sent: Tuesday, 23 June 2020 10:52 PM
To: Baker, Tim <Tim.Baker@dpiwwe.tas.gov.au>
Cc: Reid, Anthony (DPaC) <Anthony.Reid@dpac.tas.gov.au>
Subject: FW: Revised Site Proposal for the Proposed Northern Prison for Tasmania

Tim,

Will need your advice on the attached before question time.

It is a very detailed letter about the history of the new Crown land site for the prison including interactions of DPIPWE over the past 25 years.

thanks

Out of scope



23rd June 2020

Honourable Peter Gutwein,
Premier of Tasmania.
11th Floor, Executive Building,
15 Murray Street,
Hobart, 7000.

By email to: peter.gutwein@parliament.tas.gov.au

CC The Honourable Elise Nicole Archer, LLB Attorney-General

elise.archer@parliament.tas.gov.au

The Honourable Rebecca White, BA, BCom

rebecca.white@parliament.tas.gov.au

Cassandra Stanwell (Cassy) O'Connor,

cassy.oconnor@parliament.tas.gov.au

Revised Site Proposal for the Proposed Northern Prison for Tasmania

The Honourable Peter Gutwein,

I am writing to you a letter of briefing, advice, respectful criticism and recommendation.

For several months now, your government has been pursuing the proposed siting of a new Northern Prison, at Westbury, some 25 minutes by car west of Launceston, in the central north of Tasmania.

This has been a contentious proposal. There has apparently been substantial community concern expressed, even at the preliminary consultation stage. I live about half an hour from Westbury, yet surprisingly I was not included in the surveying.

On Thursday the 18th June, the Attorney General and yourself announced that the building of the Northern Prison in the Westbury Industrial Area (near Tas Alkaloids) would not proceed - that the government has listened. You announced that the Government is proposing a new site just some three kilometres north of the Westbury industrial zone, also on the Birralee Road, located on the southern banks of Brushy Rivulet.

On the surface, this appears to be a good decision. It seems to recognise that a prison would not have been compatible with the already established industrial land uses and indeed future land uses permitted in the Westbury industrial zone

However, I am sure this natural site too, will prove to be highly contentious and fractious.

This 70 ha Crown land site, PID 7031141, supports high conservation value natural forest. It was purchased by the State of Tasmania in the late 1990s for the express purpose of meeting our Regional Forest Agreement (RFA) commitments to the Commonwealth Government, following a Comprehensive Regional Assessment of forestry and forest conservation in Tasmania in preparation of the 1997 Regional Forest Agreement, under the 1992 National Forest Policy Statement (NFPS) provisions and was intended always to be a secure, in-perpetuity reserve.

This naturally forested place is actually a part of the National Reserve System (NRS) of Australia, intended to continue as a place where nature could continue to exist and flourish, including ensuring the habitat and life support for a number of important Threatened Species.

The site has no power, no treated water, no sewerage infrastructure and it is surrounded by agriculture and forestry activities.

This letter is intended to appraise you, as Premier of Tasmania, about the background to this 70 ha Crown reserve. It has always shown up deficiently as unallocated Crown land. There is clearly an absence of adequate land tenure for this important (formerly private land) reserve. I speculate that fact may be the reason the Attorney General has, perhaps mistakenly, considered this land to be available for development, even though it is not. This may well be an honest mistake.

Certainly I would prefer to consider that the choice of this land for the Northern Prison was simply a mistake and not a deliberate action to liquidate a part of Australia's National Reserve System (NRS), which is a fundamental foundation for Australia to meet its international obligations under the Convention for Biological Diversity. If this were found to be a deliberate action, Tasmania's reputation for ecological conservation could well be damaged.

This 70 ha title, CT 14862/1, formerly owned by a Westbury veterinary surgeon, the late Dr Harold Laker, then of Culzean, in Westbury, held in the name of Marneys Hill Estate Proprietary Limited, was sold to the State of Tasmania during the period of the operation of the Private Forest Reserve Program (PFRP) in the late 1990s.

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In November 1997, the Tasmanian and Australian Governments approved and signed the Tasmanian Regional Forest Agreement (RFA). Attachment 8 of the RFA describes the agreement to establish a "program to protect CAR values on private land". Participation by landowners was to be voluntary and wherever possible CAR values were to be secured in perpetuity. This now informal Crown Reserve contains CAR values formerly on private land,

In July 1998, in accordance with the RFA, the Parties to the RFA agreed on a "Strategic Plan for the Private Land Component of the CAR Reserve System". The Strategic Plan identified conservation objectives, mechanisms for engaging with landowners, priorities and timelines, and implementation review and monitoring arrangements.

An Advisory Committee (the Committee) including representatives nominated by the Department of Primary Industries Water and Environment (DPIWE); Private Forests Tasmania (PFT); the Forest Practices Board (FPB); the Tasmanian Farmers and Graziers Association (TFGA) and the Tasmanian Conservation Trust (TCT) oversaw the program. The DPIWE representative chaired the Committee.

The Committee provided advice on proposals for properties to be included within the CAR Reserve System to the State Minister for Primary Industries, Water and Environment, and the Australian Government Ministers for Environment and Heritage as well as Fisheries, Forestry and Conservation.

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I am familiar with the various arrangements, which were integral to Tasmania meeting its environmental commitments for the Regional Forest Agreement. However, in summary the conservation of nature in Tasmania is obviously skewed to a generous meeting of wilderness values in the South West of the island on public land whilst the (vegetation community, flora and fauna) biological diversity values, which occur on private land, continue to remain inadequately reserved, even after over 20 years of the RFA. Thus claiming a broad state-wide level of State reservation is both insufficient and misleading. This is especially true of fauna conservation, as the fauna was never properly assessed under the RFA's CRA due to the employment of a botanical model.

I am writing to you now, specifically mentioning these related relevant aspects, as I am aggrieved over what appears to be a Government decision, which intends would clear much of this Informal Crown conservation reserve and thus destroy a part of the National Reserve System of Australia.

Ms Archer wrongly suggested on the 18th June 2020, the land was not a conservation reserve. You may choose to confirm for yourself the reservation of this land, simply by visiting The List map section and you will discover that property ID 7031141, that is certificate of title 14862/1, being the subject land, has the Authority shown as "DPIPWE Crown Land Services" and under the Tasmanian Reserve Estate mapping layer, the subject land is shown as "Informal Reserve on Other Public Land". I enclose an extract of the subject land showing a map of the reserve.

Specifically and significantly, my understanding is that Commonwealth funds were used to purchase this land through the RFA reserve program for private land, the Private Forest Reserve Program (PFRP). And for every PFRP reserve, the Commonwealth signed its agreement and also became a party to the reserve. It remains to be seen whether this occurred in this instance or what memorandum was documented between the parties including within CARSAG for this matter.

Nonetheless, ever since the purchase from Dr Laker, the informal reserve on the subject land has been managed for conservation by officers of DPIWE, DPIPWE or Crown Land Services.

I recall one of Tasmania's senior bureaucrats, who was involved in the creation of the Regional Forest Agreement (RFA), a Mr Rod Pearce (now deceased), who at the time, working for DPIPWE, was the person principally responsible for creating the PFRP itself and subsequently was also responsible for the negotiation of the purchase of this 70 ha block of private land from Dr Laker and its subsequent conversion to Crown land.

This option for the Crown to purchase private land was exercised in extremely rare circumstances and only done when the values, that is, the ecological values were very high, such as in this case.

Mr Pearce, **Section 36**

, was a loyal servant to Tasmania, a fine bureaucrat and a person of good judgement. His decision to recommend this land on the south bank of Brushy Rivulet to the panel of experts was important.

More important perhaps is the fact that such blocks of private land at the time went through a laborious process of consideration under the PFRP. The range of highly qualified experts who were engaged by both the State and the Commonwealth governments for this process reflected the very considerable importance the two governments placed on this matter at the time. I recall the panel, The Scientific Advisory Group for the RFA Private Land Reserve Program (CARSAG), including people such as Peter Bosworth (Chair), Rod Knight, David Peters, Ray Brereton, Louise Gilfedder, Fred Duncan, Allison Woolley, Stephen Harris, Michael Pemberton, Phil Bell, Greg Blake, Stephen Casey, Phil Barker, Niall Doran, and Anne Kitchener.

Regarding the assessment and decision-confirming panel, called CARSAG. *“It had responsibility for assessing the scientific merits of proposals and for maintaining a set of maps of candidate areas, which showed reservation priorities for the Program.”*

There are some 890 or so, may be a few more now, of such private land conservation reserves, either under the PFRP or the FCF, or the Protected Areas on Private Land (PAPL), or the Native Grassland Reserve Program in Tasmania.

Many of these conservation reserves were created with the assistance of Commonwealth funds and most of them are in-perpetuity agreements, mostly organised by way of covenant on title. Only a very few were ever purchased. This tactic was reserved for the most important cases. This approach is an indicator that the conservation values were considered to be so high as to preclude all development.

Coincidentally, on 18 June 2020, I drove past this land, PID 7031141, on my way home from Launceston and Birrallee. I marvelled at this natural forest’s good condition and I reflected on the efforts of the various officers within DPIPWE, who have dedicated themselves to protecting this land from illegal activities.

For many years, this land has had Tasmanian Government DPIPWE or PFRP type reserve signs stating it is protected, yet Ms Archer questioned the validity of this informal Crown owned reserve.

Those reserve signs are the same sort which signpost my reserved land. Appropriate reserve signage on PID 7031141 should be reinforced and the fence and the gates to the subject land should be retained and improved, as there is an element within our society, which intentionally destroys such places.

The Illegal activities, to which I refer, are things such as shooting, illegal firewood getting and theft. These sorts of activities occur and are widespread in Tasmania

So contrary to Ms Archer’s statement in the media, the DPIPWE reserve signage was not at all accidental but rather entirely deliberate, responsible and crucial to the required protection of this place as a part of the Tasmanian Reserve Estate. The reserve signage, which has been present on the land for well over a decade now clearly indicates and confirms the land is reserved. It is worth noting that the private reserve program of DPIPWE manages the land rather than Crown lands, according to a property report, which I accessed recently.

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. Stuart was a loyal and humble servant of Tasmania who did his job with professionalism. Incidentally when discussing such similar matters with Parks and Wildlife, more recently, one finds that they too have a very challenging job, effectively policing conservation reserves against illegal activities and have

worrisome concerns over the amount of resources they have for that task. So the problem is not particular to this 70 ha block of land.

One perhaps can understand the disdain that some elements of Tasmanian society have for the conservation of nature when the State of Tasmania is also attempting to destroy a secure natural area specifically reserved for its biodiversity.

As I have mentioned, Mr King was a dedicated officer of DPIPWE, who amongst his other duties, worked tirelessly to protect this land. So in the Hon Ms Archer pursuing the demise of this 70 Ha title, your Government would set an example that could further reduce community respect for nature conservation and increase the level of threat to private reserves, including mine. Hence I am writing now and can promise continued opposition to such destructive action.

This reserve was expressly put in place, aiming to contribute to the conservation of nature and mitigate against the processes that lead to extinctions. I can in any case, state with confidence that this Crown land is already known by the Tasmanian Government to be land, which is securely reserved for conservation purposes by it under the RFA and has been so for about 20 years. This problem whereby the Tasmanian Government failed to gazette the reservation of the land, even when it knew how to do so at the time (given there are some 840 or so public reserves across Tasmania), bears a close investigation. The Commonwealth put its faith in Tasmania but Tasmania let everybody down over this matter and continues to do so.

The problem for the well over 800 private landowners who own private forest reserves and other similar reserves across Tasmania, for those PFRP and FCF Reserve owners, with the State Government's proposal to dismantle, demolish and debase this Crown reserve (which was the subject of an RFA private reserve program), is that they will now come to realise the Tasmanian government is willing to dismantle such Reserves created under these RFA programs. That such reserves may be dismissed, quashed, scuppered - that they are not reserved in perpetuity at all - is an absolute, scandalous disgrace.

The Commonwealth would surely have to be informed that Commonwealth funds designed and used for conservation purposes are now being used to create a Northern Prison, which would destroy most, if not all, of the natural values contained within this informal conservation reserve.

Dr Laker sold his land to the State of Tasmania for the sum of \$75,000 and this State of the Commonwealth of Australia was accordingly charged with reserving his land in good faith in the public interest. Now, post his death, the State of Tasmania is planning to destroy his legacy of 70 Ha of nature conservation, simply to build a gaol, which it seems the local community does not really even want.

Additionally, the reserved area was assessed under the CRA as being key fauna habitat of threatened species. This is not surprising given its position in the landscape.

On the ABC News on last Thursday the 18th June, Ms Archer mentioned that an Eagles' nest was not on the land. That is indeed correct. It is interesting she appeared to know of this matter.

The Eagles' nest (*Aquila audax* subsp. *Fleayi*, Tasmanian Wedge-tailed Eagle) is actually adjacent to the subject land but on the northern bank of Brushy Rivulet very close to the boundary of the subject land. This nest site of Wedge-tailed Eagles is very close to the subject land and the nest's 500 metre exclusion zone would very significantly constrain the proposal for the proposed development of a Northern Prison. I am informed it may not be where it is mapped on TheList however. Its Status: under the Threatened Species Protection Act 1995: endangered and under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC): Endangered.

This Eagles' nest would be just one of the several relevant, special natural values to be considered were the proposal to continue. Interestingly the eagles' nest (Raptor Nest 1402) is

on TheList from the Natural Values Atlas and its impact is surely understood by your Government, even if Ms Archer seems oblivious. I am informed reliably that the nest is in a very large old tree, a *Eucalyptus viminalis*, sited right on the bank of the stream very close to the subject land and that it was visited in 2011. NB That *E. viminalis* forest in this location is not mapped.

Perhaps more importantly, this informal Crown reserve is within the Northern Midlands bioregion, the most poorly conserved of all of Tasmania's regions and significantly a national biodiversity hotspot, requiring further reservation and conservation of nature.

I have also been informed that an inspection of the reserve some years ago identified some smallish patches of *E ovata* forest. *E ovata* forest is regarded as Critically Endangered ecological community under EPBC (Commonwealth) and is a Threatened Vegetation Community under Tasmanian legislation.

I wish to conclude by reiterating that the proposed destruction of the Crown reserve and the diminution and probable degradation of Threatened Species habitat would be completely unacceptable.

Should the Tasmanian Government proceed with its proposed land clearance and construction of a prison on this informally reserved site, I am in no doubt the proposal would be strenuously challenged and the Crown reserve would be defended against what would likely be regarded as a negligent action of the State of Tasmania. The spectre of such an acrimonious dispute, played out in public would, I foresee, inevitably damage Tasmania's reputation.

I wish to respectfully suggest that the 70 ha reserve of Crown reserved land, purchased with the use of Commonwealth RFA funds (taxpayer dollars), currently informally managed in perpetuity for conservation purposes, as a part of the National Reserve System of Australia, supporting Tasmania's RFA commitments to a Comprehensive Adequate and Representative reserve system, across the state and the nation, should be gazetted formally and become a Nature Reserve, thus resolving any doubt and ensuring it remains the legacy, which Dr Laker so honourably and wisely intended.

In Tasmania, we must always bear in mind the fate of the Thylacine. It now merely adorns many government letterheads. Today we have another carnivore, the Tasmanian Devil hovering close to extinction, while other native predators, such as the Spotted-Tailed Quoll are also on the Threatened Species lists. A line must be drawn between development and extinctions.

I hope you will recognise the mistake of the Attorney General, Ms Archer, perhaps an error of judgement, and accordingly will reconsider without delay the current, albeit recently revised proposed site for a Northern Prison and embark upon a process to find a genuinely suitable and uncontentious site.

This is a public interest matter. Accordingly this letter is something I will make publically available.

I await your early response.

Yours sincerely,

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