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Tasmania

Get your skates on: Tasmania's next *State of the Environment Report*

Tasmania has not published a State of the Environment Report since 2009. Nationally, alarming declines of natural and cultural values are underway. Without a state-focused analysis, Tasmanians are in the dark about the scale and detail of concerns and government decision-makers are flying blind. Tasmania's next report is due in less than 12 months. But what will it consider? Is there enough data available and will the government invest in a contemporary assessment and reporting framework after 15 years of neglect?

The Australia Institute Tasmania
Environmental Defenders Office
Tasmanian Independent Science Council

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ABOUT THE ENVIRONMENTAL DEFENDERS OFFICE

EDO is a community legal centre specialising in public interest environmental law. We help people who want to protect the environment through law. Our reputation is built on:

- Successful environmental outcomes using the law. With over 30 years' experience in environmental law, EDO has a proven track record in achieving positive environmental outcomes for the community.
- Broad environmental expertise. EDO is the acknowledged expert when it comes to the law and how it applies to the environment. We help the community to solve environmental issues by providing legal and scientific advice, community legal education and proposals for better laws.
- Independent and accessible services. As a non-government and not-for-profit legal centre, our services are provided without fear or favour. Anyone can contact us to get free initial legal advice about an environmental problem, with many of our services targeted at rural and regional communities.

ABOUT THE TASMANIAN INDEPENDENT SCIENCE COUNCIL

The Tasmanian Independent Science Council is dedicated to science-based policy reform to ensure the long-term health of Tasmania's environment. The Council includes scientists and other relevant professionals who provide independent, non-government advice, focusing on policy reforms of significant State interest. We seek to inform public debate and influence legislative reform to improve outcomes for terrestrial, freshwater and marine ecosystems.

Acknowledgement of Country

Our organisations acknowledge that Tasmania was taken forcibly and unethically and that Tasmanian Aboriginal peoples continue to suffer the consequences of this today. We offer respect to their Elders past and present.

The authors of this report acknowledge with thanks, the review and guidance we received from the Tasmanian Aboriginal Centre in preparing this report.

Contents

Summary.....	1
Introduction	2
Tasmania in the national report	3
Tasmania’s next SOE Report.....	4
What do Tasmanians need to know?.....	4
Case studies for Tasmania.....	5
SOE Reporting in Australia.....	6
Can the Tasmanian Planning Commission deliver for Tasmania?	9
Conclusion and recommendations	11

Summary

Australia: State of the Environment 2021 paints a dire picture of how Australia's wildlife and ecosystems are coping with a litany of pressures.¹ While some Tasmanian issues featured in the national report, many more flew under its radar.

The Tasmanian Planning Commission (TPC) has not produced a State of the Environment (SOE) Report since 2009, despite a legislative requirement to do so every five years.² As a result, Tasmanians are in the dark as to the scale and detail of environmental changes that have occurred across the state.

The TPC has now committed to producing a SOE Report by June 30, 2024. After such a long period between reports, it is crucial that the next Tasmanian SOE Report delivers a comprehensive appraisal of the health of Tasmania's environment, including heritage and human wellbeing considerations. But it is up to the Tasmanian Government and the TPC to decide whether it will simply tick the box, or if it will step up and deliver the thorough environmental health check Tasmania has been missing.

This report identifies key elements that are necessary for the TPC to produce a SOE Report to contemporary reporting standards and summarises the SOE reporting procedures of other Australian states. Based on the limited information available from the TPC, this report identifies potential shortcomings in planning for the 2024 SOE Report and provides recommendations to address these.

The authors recommend the following measures be taken to produce an adequate report:

1. The Tasmanian Government should allocate additional and ongoing funding of at least \$1.1 million to adequately resource production of the state's long-overdue SOE Report.
2. The TPC should release its plans for the SOE Report and clearly outline what the report will cover, including the methodology and indicators it will use.
3. The TPC should modernise and standardise its reporting framework and adopt best practice for Tasmania's next SOE Report. This includes reporting on human wellbeing, United Nations frameworks, climate change impacts and Tasmanian Aboriginal peoples' rights and knowledge throughout its assessments.
4. Tasmania's SOE Report should include a range of illustrative case studies.
5. The TPC should be supported to provide regular, interim reporting on trends and changes in the condition of Tasmania's environment, in line with the practices of other states.

¹ Cresswell et al (2021) *Australia: State of the Environment 2021*, <https://soe.dcceew.gov.au/>

² State Policies and Projects Act 1993 s29.

Introduction

Australia: State of the Environment 2021 (the “national report”) found that Australia’s environment was in poor condition, and climate change, habitat loss, invasive species, pollution and resource extraction were all contributing to its deterioration.³ In the five years since the previous national report, the number of species listed as threatened has grown, rapid ecosystem change has been recorded, and the overall health of Australia’s environment has declined. Critically, the national report notes that Australia’s inability to adequately respond to growing pressures will continue to result in species extinctions, deteriorating ecosystem health, and poor social, environmental and economic outcomes.

Meanwhile, Tasmanians are in the dark about the condition and trends of their environment because the Tasmanian Government has failed to do its job. The Tasmanian Planning Commission (TPC) has not produced a State of the Environment (SOE) Report since 2009, despite a legislative requirement to do so every five years.⁴ In September 2022, the Australia Institute and Environmental Defenders Office persuaded the Tasmanian Government to direct the TPC to recommence SOE reporting, with the next report to be completed by 30 June 2024.⁵

The *State Policies and Planning Act 1993* (the Act) requires Tasmanian SOE Reports to report on:

- (a) the condition of the environment; and
- (b) trends and changes in the environment; and
- (c) the achievement of resource management objectives; and
- (d) recommendations for future action to be taken in relation to the management of the environment.⁶

However, Tasmania’s next SOE Report will be a decade overdue, and needs to go beyond the basic requirements of the Act. It should describe the health of ecosystems in Tasmania’s forests, waterways, wildlife, coastlines, and oceans, and how well they are being managed. It should guide government policy and decision-making in responding to new trends and pressures. In line with contemporary standards for SOE reporting, it should also include consideration of natural and cultural values, urban health, Tasmanian Aboriginal peoples’ knowledge, and the impact of environmental health on human wellbeing.

³ Cresswell et al (2021) *Australia: State of the Environment 2021*, <https://soe.dcceew.gov.au/>

⁴ *State Policies and Projects Act 1993*, s29.

⁵ Carr (2022) *Media release: Win for Tassie Environment as Government Agrees to State of Environment Report* <https://australiainstitute.org.au/post/win-for-tassie-environment-as-government-agrees-to-state-of-environment-report/>

⁶ *State Policies and Projects Act 1993*, s29(1).

Tasmania in the national report

While the national report gives a detailed assessment of the state and trends of Australia's environment at the national scale, it notes that these assessments are often generalised. It highlights the necessity of regular, detailed sub-national SOE reporting so that fine scale trends and pressures can be recorded, and state-specific policy responses developed. A range of Tasmanian issues were highlighted in the national report:

- **Threatened species:** the health of handfish, orange-bellied parrot and Tasmanian devil populations were cited as a biodiversity concern in the national report.⁷ Notably absent was the endangered Maugean skate which is endemic to Macquarie Harbour. Its population has declined by 47% between 2014 and 2021.⁸
- **Coastal environment:** wastewater treatment, industrial discharges and organic loads from finfish aquaculture were identified as key pressures on Tasmanian estuaries and enclosed coastal waters.⁹
- **Marine ecosystems:** the decline in giant kelp-dominated communities and invasive marine species are a primary threat to biodiversity and ecosystem health in Tasmanian coastal waters.¹⁰
- **Natural heritage:** mining, tourism and major increases in aquaculture are also cited as having adverse impacts on natural heritage. The new *Tasmanian Planning Scheme* is also expected to significantly reduce the protection of some natural heritage values.¹¹
- **Land clearing:** 30,400 hectares of native vegetation in the state were converted for rural residential and farming uses over 2010-11 to 2015-16.¹²
- **First Nations rights, knowledge and cultural values:** Tasmania is the only Australian state without formal joint management of parks and protected areas between the government and Tasmanian Aboriginal peoples. Also noted is the impact of changes to the marine environment on the continuation of Tasmanian Aboriginal peoples' cultural practices, such as shell stringing.¹³

⁷ Murphy and Stephen (2021) *Australia: State of the Environment – Biodiversity*, <https://soe.dcceew.gov.au/sites/default/files/2022-07/soe2021-biodiversity.pdf>

⁸ Moreno and Semmens (2023) *Interim report - Macquarie Harbour Maugean skate population status and monitoring*, [Maugean-skate-2021-interim-report-FINAL.pdf](https://soe.dcceew.gov.au/sites/default/files/2022-07/soe2021-maugean-skate-interim-report-FINAL.pdf).

⁹ Clark, Fischer and Hunter (2021) *Australia: State of the Environment – Coasts*, <https://soe.dcceew.gov.au/sites/default/files/2022-07/soe2021-coasts.pdf>

¹⁰ Trebilco et al (2021) *Australia: State of the Environment 2021 – Marine*, <https://soe.dcceew.gov.au/sites/default/files/2022-07/soe2021-marine.pdf>

¹¹ McConnell et al (2021) *Australia: State of the Environment 2021 – Heritage*, <https://soe.dcceew.gov.au/sites/default/files/2022-07/soe2021-heritage.pdf>

¹² Williams et al (2021) *Australia: State of the Environment 2021 – Land*, p65 <https://soe.dcceew.gov.au/sites/default/files/2022-07/soe2021-land.pdf>.

¹³ Green and Moggridge (2021) *Australia: State of the Environment 2021 – Water*, <https://soe.dcceew.gov.au/sites/default/files/2022-07/soe2021-inland-water.pdf>

Tasmania's next SOE Report

WHAT DO TASMANIANS NEED TO KNOW?

Environmental assessment and reporting methods have evolved significantly since Tasmania's last SOE Report in 2009. The 2024 SOE Report should establish a contemporary, standardised (comparable and repeatable) methodology that provides essential data for ongoing state and national SOE Reports, that can usefully inform policy and decision-making. In accordance with best practice state of the environment reporting, the 2024 Tasmanian SOE Report should assess the condition, trends, and changes in the following environmental themes and indicators:¹⁴

- **Climate and climate extremes** – climate and extreme events.
- **Landscapes and seascapes** – land and soil, inland water, coasts, marine, air and urban environments.
- **Ecosystems** – terrestrial, freshwater, marine and coastal ecosystems.
- **Biodiversity** – threatened species, threatened ecological communities, migratory species.
- **Human society and wellbeing** – food, water, and air quality, impacts of changing climates and extreme events, liveability, Tasmanian Aboriginal peoples' wellbeing and values, historic and natural heritage.
- **Pressures** – climate change, people-related pressures, terrestrial and marine industries, invasive species and range shifts, and cumulative pressures.
- **Tasmanian Aboriginal peoples' wellbeing and connection to country** - Tasmanian Aboriginal peoples' rights and knowledge should be recognised and integrated in all aspects of the report, as well as in a dedicated chapter that reports on governance, rights and access to Country, natural resources and cultural values.
- **Management effectiveness** – state legislation and policy obligations, the achievement of resource management objectives, management approaches, management of specific sectors and resources, and management of pressures.

The report should also incorporate the principles of the following United Nations frameworks, as has been done in various Australian national and sub-national SOE reports:

- Sustainable Development Goals;
- System of Environmental-Economic Accounting;
- Decade on Ecosystem Restoration 2021-2030; and
- Convention on Biological Diversity.

¹⁴ This is an abridged list of assessments that were each given an overall grade and trend in the national report: Cresswell et al (2021) *Australia: State of the Environment 2021 – Overview*, <https://soe.dcceew.gov.au/sites/default/files/2022-07/soe2021-overview.pdf>

- Declaration on the Rights of Indigenous People

In responding to the identified trends and changes in environmental health, the 2024 Tasmanian SOE Report must also provide clear recommendations for future action to be taken in relation to the management of the environment.¹⁵

Case studies for Tasmania

Best practice SOE reporting uses case studies to introduce specific management initiatives, provide more detail on certain environmental impacts, and to highlight emerging pressures. Case studies are used extensively throughout the national report, and in Victoria's and ACT's SOE reports.

Appropriate case studies for Tasmania could include:

- Land and sea management by Tasmanian Aboriginal peoples
- Tasmania's changing rocky reefs
- Marine heatwaves
- Impact of deer, cats and other feral animals on Tasmania's terrestrial biodiversity
- Impacts of northern pacific seastar, long-spined sea urchins and other invasive marine species on Tasmania's marine biodiversity
- Environmental impact of invasive insects
- Maintaining values of the Tasmanian Wilderness World Heritage Area and progress to deliver joint management with Tasmanian Aboriginal peoples
- Comprehensiveness, adequacy and representativeness of Tasmania's marine reserves
- Protected areas representing and maintaining terrestrial biodiversity and geodiversity
- Management of shared marine biodiversity values by state and Commonwealth governments
- Restoration of coastal dune ecosystems
- Soil degradation in agricultural regions
- Impact of state planning policies on natural and aesthetic values
- Effects of fire regimes on biodiversity
- Pollution from marine industries
- Impact of native forest logging and land clearing on Tasmania's emissions profile
- Declining health of freshwater ecosystems
- Depletion of key fisheries such as abalone, scallop, and multiple scalefish species
- Successful carp control at Lake Crescent/Sorell
- Collaboration between the Derwent Estuary Program, and the Tamar Estuary and Esk Rivers Program
- Conservation concerns for the Burrunan Dolphin
- Competing uses and values in the Pitt Water Orielton Lagoon.

¹⁵ *State Policies and Projects Act 1993*, s29(1).

SOE Reporting in Australia

SOE reports provide governments with a crucial tool to evaluate whether they are adequately managing their environment, conserving biodiversity, and meeting human wellbeing needs. The specific content and timing of national and state SOE reports vary. They usually include assessments of human wellbeing, natural and cultural values, the impacts of climate change, and engagement with various United Nations environmental frameworks. These topics are addressed either through a designated chapter or integrated throughout the report.

All states and the ACT have regularly produced SOE reports, apart from Western Australia and Tasmania.

THE NATIONAL REPORT

Australia: State of the Environment 2021 (the “national report”)¹⁶ is an extensive investigation of the trends, pressures and management responses underway across Australia. It is organised into 12 thematic chapters: air quality, Antarctica, biodiversity, climate, coasts, extreme events, heritage, Indigenous, inland water, land, marine, and urban. Reporting on the impact of environmental health on human wellbeing, in line with the United Nations Sustainable Development Goals, has been common practice in national and subnational reports for several years. The latest report goes a step further by recognising and integrating Indigenous knowledge in all aspects of the report and dedicating a full chapter to Indigenous wellbeing and connection to Country.

VICTORIA

Victoria’s Commissioner for Environmental Sustainability (CES) is responsible for the production of the state’s SOE Report every 5 years.¹⁷ The Commissioner is also required to produce a report on the condition of Yarra River land, the Great Ocean Road coast and parks, and environmental management systems either as part of the SOE Report or as separate publications. These reports are legally required to be publicly accessible online.

Victoria’s most recent report in 2018 is organised into 12 sections: air quality, climate change impacts, biodiversity, land health, forests, fire, water resources, water quality, coastal and marine environment, waste and resource recovery, transport and energy. To ensure transparency and accountability for the 2018 SOE Report, the Commissioner for

¹⁶ Cresswell et al (2021) *Australia: State of the Environment 2021*, <https://soe.dcceew.gov.au/>

¹⁷ Commissioner for Environmental Sustainability Act 2003 s17(1), <https://content.legislation.vic.gov.au/sites/default/files/2022-08/03-15aa.017.pdf>

Environmental Sustainability released an interim report which outlined exactly what the forthcoming SOE Report would cover, the methodology it would use, and the environmental indicators the report would assess. A plan for the upcoming 2023 SOE Report has also been published, which includes a clear commitment to applying the United Nation’s Sustainable Development Goals and System of Environmental-Economic Accounting throughout the report.

QUEENSLAND

The Queensland Government’s Department of Environment and Science produces a SOE Report every 2 years.¹⁸ The most recent report was published in 2021, and is structured around five themes, each covering a range of sub-themes:

- Biodiversity (terrestrial and aquatic ecosystems; species and habitat)
- Heritage (Aboriginal and Torres Strait Islander; historic; world)
- Pollution (air quality; water quality; waste; greenhouse gas emissions)
- Climate (climate observations; coasts and oceans)
- Liveability (urban; rural)

Queensland’s reports also include designated sections on the state and trend of two areas it considers to be of greatest concern: the health of the Great Barrier Reef, and the state-wide impacts and implications of climate change.

NEW SOUTH WALES

The New South Wales Environmental Protection Authority (EPA) is required to produce an SOE Report every three years and provide interim updates on environmental trends each year.^{19,20} The latest report in 2021 covered six themes: drivers, human settlement, climate and air, land, biodiversity, water and marine. Embedded in this report is an explicit commitment to the integration of Indigenous knowledge and recognition that the health of the natural environment and the health of people and Culture are interconnected.

SOUTH AUSTRALIA

South Australia’s EPA produces an SOE Report every five years at a minimum. The most recent publication in 2018 covered five themes: climate change, land and biodiversity, waste management, inland waters, coasts and marine, and air quality. Additionally, it covers three

¹⁸ Queensland Government (2021) *Queensland State of the Environment Report 2020*, <https://www.stateoftheenvironment.des.qld.gov.au/>.

¹⁹ *Protection of the Environment Administration Act 1991* (NSW), s 10(5).

²⁰ NSW EPA (2021) *NSW State of the Environment 2021*, https://www.soe.epa.nsw.gov.au/sites/default/files/2022-02/21p3448-nsw-state-of-the-environment-2021_0.pdf

important issues in detail – biodiversity, aquatic ecosystems and coastal protection. It also provides clear, numbered recommendations to the South Australian Government throughout the report.²¹

WESTERN AUSTRALIA

Western Australia’s EPA has not produced an SOE Report since 2007.²² This report covered eight themes: fundamental pressures, atmosphere, land, inland waters, biodiversity, marine, human settlements and heritage. There is no legislative requirement to produce a report in the future.

AUSTRALIAN CAPITAL TERRITORY

The ACT has produced an SOE Report every four years since 2007, with the most recent report published in 2019.²³ The 2019 SOE Report assessed the condition and trends of 26 environmental indicators across seven themes: climate change, human settlements, air, land, biodiversity, water and fire.²⁴ These assessments are supported by separate chapters discussing Indigenous knowledge and connection to Country, citizen science in the ACT, and urban greening in Canberra.

²¹ EPA South Australia (2018) *State of the Environment*,
https://www.epa.sa.gov.au/soe-2018/files/14003_soer2018_print-summary_cover.pdf

²² Environmental Protection Authority (2007) *State of the Environment Report 2007*,
<https://www.epa.wa.gov.au/state-environment-report-2007>

²³ Commissioner for Sustainability and Environment (2023) *State of the Environment*,
https://envcomm.act.gov.au/soe_about-the-report/

²⁴ Commissioner for Sustainability and Environment (2019) *ACT State of the Environment*,
<https://envcomm.act.gov.au/wp-content/uploads/2020/07/SOFull.pdf>

Can the Tasmanian Planning Commission deliver for Tasmania?

The *State Policies and Projects Act 1993* requires the TPC to publish SOE reports.²⁵ However, since at least 2016, the Tasmanian Government has been aware that there has not been sufficient funding allocated to the TPC to enable them to produce the reports, according to documents revealed through a 2022 Right to Information (RTI) application by the Australia Institute and Environmental Defenders Office.²⁶

Importantly, in recognising the importance of and recommitting to SOE reporting, the Tasmanian Government recognised that the SOE Report must be produced by an independent body at arms-length from Government, and that the pre-eminent independent body is the TPC.²⁷

The TPC has not released an outline for Tasmania's forthcoming SOE Report, or any other information publicly. The only information available to date about the progress and content of the next Tasmanian SOE Report indicates a director to oversee the SOE Report's production may have been appointed, and consultants will be engaged to prepare reports on five themes: air; biodiversity; marine and coasts; rivers and wetlands; and waste.²⁸

There has been no public update provided for which environmental indicators will be used to report on these themes, nor any information provided on how other key factors, such as human wellbeing, Tasmanian Aboriginal peoples' knowledge, and climate change, will be incorporated into the final report.

The 2009 SOE Report cost the equivalent of \$1.3 million in today's terms to produce.²⁹ This may be a conservative estimate of what is needed because a new methodology will be required, there will be 15, rather than five years of data to consider, and a compressed timeframe (one year rather than the usual five) to produce the report. For the Tasmanian

²⁵ *State Policies and Projects Act 1993*, s29.

²⁶ State of Environment Report Needs \$1.5m for Government to Fulfil Legal Obligations: Lawyers <https://australiainstitute.org.au/post/state-of-environment-report-needs-1-5m-for-government-to-fulfil-legal-obligations-lawyers/>.

²⁷ Michael Ferguson, Minister for Planning (2022), State of Environment Report https://www.premier.tas.gov.au/site_resources_2015/additional_releases/state-of-environment-report

²⁸ Legislative Council Estimates Committee A – Ferguson (2023) p151-152, <https://search.parliament.tas.gov.au/search/isysquery/d147a4eb-96f9-4b0c-b3ae-fb83bafcc5b6/11-20/list/>

²⁹ The Australia Institute (2022) *Media release: State of Environment Report Needs \$1.5m for Government to Fulfil Legal Obligations*, <https://australiainstitute.org.au/post/state-of-environment-report-needs-1-5m-for-government-to-fulfil-legal-obligations-lawyers/>

Government to fulfil its obligation and produce a SOE Report to contemporary standards the Australia Institute estimates at least \$1.5 million would be required.³⁰

However, the 2023-24 Tasmanian Budget allocated a one-off \$400,000 to produce the next SOE Report by June 2024 – less than one-third of what was required in 2009.³¹ There is no ongoing funding in the state budget, and it is unclear how the TPC will continue this vital work into the future, or to provide regular interim reporting on trends and changes in the condition of Tasmania’s environment. This would be consistent with the approach taken in other jurisdictions,³² and with the Australian Government’s commitment to provide a user-friendly dashboard of trends and real-time reporting of SOE data.³³

The TPC now has the significant task of producing an SOE Report that adequately assesses the last 15 years of environmental trends and pressures that have occurred in Tasmania’s environment. The onus is now on the Tasmanian Government and the TPC to produce a SOE Report that goes beyond the minimum requirements and gets Tasmanian SOE Reporting back on track. It is up to the TPC to overcome the gap between the bare minimum that is required by the Act, and the standard that is set by other national and subnational reports in Australia.

³⁰ Ibid.

³¹ Tasmanian Government (2023) *Government Services, Budget Paper No 2, Volume 1*, p100, <https://www.treasury.tas.gov.au/Documents/2023-24-Budget-Paper-No-2-Volume-1.pdf> Table 5.1.

³² The NSW EPA is required to publish SOE reports every 3 years and provide interim updates on SOE trends each year: *Protection of the Environment Administration Act 1991* (NSW), s 10(5); New Zealand produces a report every three years, with interim ‘domain’ reports produced every six months: *Environmental Reporting Act 2015* (NZ), ss 9(1) & 12.

³³ Department of Climate Change, Energy, the Environment and Water, Canberra (2022) *Nature Positive Plan: better for the environment, better for business*, p 31, <https://www.dcceew.gov.au/sites/default/files/documents/nature-positive-plan.pdf>

Conclusion and recommendations

Producing a SOE Report that adequately assesses the health of Tasmania's diverse environments is critical for understanding vulnerabilities, evaluating management practices, and ensuring effective protection and sustainable management go hand in hand. Tasmania's long overdue SOE Report must provide a comprehensive appraisal of the health of Tasmania's environment and heritage if government, resource managers, industry, scientific, community members and Aboriginal communities are to understand the state of and trends in Tasmania's environment. Otherwise, how can future decisions with implications for the management of the environment or impacts on the environment be properly informed? With inadequate funding, almost 15 years of environmental data to be collated and analysed, and less than 12 months until the next report is due, producing a SOE Report that meets modern standards and makes up for over a decade's absence in reporting is no small task.

The authors recommend the following measures:

1. The Tasmanian Government should allocate additional and ongoing funding of at least \$1.1 million to adequately resource production of the state's long-overdue SOE Report.
2. The TPC should release its plans for the SOE Report and clearly outline what the report will cover, including the methodology and indicators it will use.
3. The TPC should modernise and standardise its reporting framework and adopt best practice standards for Tasmania's next SOE Report. This includes reporting on human wellbeing, United Nations frameworks, climate change impacts and Tasmanian Aboriginal peoples' rights and knowledge throughout its assessments.
4. Tasmania's SOE Report should include a range of illustrative case studies.
5. The TPC should be supported to provide regular, interim reporting on trends and changes in the condition of Tasmania's environment, in line with the practices of other states.