

Response ID ANON-4EM2-EKBY-3

Submitted to **Native vegetation issues paper**

Submitted on **2020-02-10 16:33:54**

Your details

1 What is your name?

Name:

Hon. Diane Evers MLC

2 Can we publish your response?

Yes, you may publish my response in full

3 What is your email address? (optional)

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5 Do your views officially represent those of an organisation?

Yes, I am authorised to submit feedback on behalf of an organisation

If yes, please specify the name of your organisation.:

Greens (WA)

6 Which of the following best describes the group or person you represent?

Other

If other, please specify.:

Member of Parliament

7 Which of the following best describes the sector you represent?

Government

If other, please specify.:

8 Are there specific parts of your submission that you want to keep confidential?

If yes, please outline which specific parts of your submission must be kept confidential and explain why. :

A State native vegetation policy

9 Referring to the proposed policy objective statements below, how well do you support each one in guiding our development of a policy?

Objective 1 matrix - Objective 1:

Please explain in the text box below.:

Objective 2 matrix - Objective 2:

Please explain in the text box below.:

Objective 3 matrix - Objective 3:

Please explain in the text box below.:

10 What opportunities are presented by the development of a State Native Vegetation Policy focused on how government manages vegetation?

Please provide your answer in the text box below.:

Upload a document

21 If you would like to upload a document to support your submission, please upload it here.

Upload document 1 here::

Diane Evers MLC Native Vegetation Policy Issues Paper Submission.pdf was uploaded

Please describe which question(s) document 1 relates to. :

The document relates to a number of aspects of the Government's four central initiatives.

Upload document 2 here::

No file was uploaded

Please describe which question(s) document 2 relates to. :

NATIVE VEGETATION IN WESTERN AUSTRALIA

Issues paper for public consultation
Submission

This policy is of particular concern to me since as the Government notes, 'of the 18 million hectares of Western Australia's native vegetation already cleared, most is in the State's south-west...coinciding with our most biodiverse ecosystems (Yeats et al. 2014)'¹.

I would like to touch on a number of aspects of the Government's four central initiatives, as outlined in the Issues Paper:

1. A State native vegetation policy.
2. Investing in better information including mapping and monitoring.
3. Improving our regulatory processes.
4. Exploring a bioregional approach to managing native vegetation.

I note that the Beeliar Professors support each of these initiatives, with some provisos. The Beeliar Professors' analysis and conclusions are sound and are of course extremely well-informed, and should therefore be incorporated into native vegetation policy and legislation.

State Native Vegetation Policy

Specific outcomes that the Greens recommend in this and related national policies are to:

- protect biodiversity by prohibiting clearing in local government areas with less than 30% native vegetation remaining and prohibit further clearing of vegetation types that are found to be at less than 10% of their pre-European settlement extent;
- end broad-scale native vegetation clearing and to restore native vegetation and biodiversity;
- develop measures to end broad scale clearing and incremental loss of native vegetation including the degradation of native forests at a national level, and ensure that this policy complements the measures.

¹ https://dwer.wa.gov.au/sites/default/files/NV_issues_paper_FINAL.pdf, p. 2.



Vision statement and principles

Obviously, the policy primarily needs to protect, restore and conserve native vegetation. This needs to be stated explicitly. At the moment the Issues Paper seems more about procedure than purpose.

I would like to see a clearer vision statement – one that clearly prioritises the preservation and regeneration of native vegetation, supported by appropriate policy principles. Without this it is impossible to tell whether the proposed policy will lead to desirable outcomes.

For instance, a principle could be to “expand and protect the area of native vegetation in each bioregion”. Another could be to apply the precautionary principle where knowledge gaps and disconnections between government agencies mean that decision making is difficult. This may well be the case with bioregional decisions. The vision statement and principles could be developed collaboratively with citizens and stakeholders. At the very least the five principles under Section 4A of the *Environmental Protection Act 1986* should be included in this policy document and in related legislation, such as that mentioned in Box 7 of the Issues Paper.

I note that the Issues Paper suggests that bioregional objectives would be developed through ‘strong local consultation and prioritisation of regions’, which sounds sensible. I encourage the Government to use deliberative, collaborative approaches rather than conventional consultation when developing bioregional objectives (see the IAP2 spectrum for more information²).

Getting the language right

We need to move beyond the Minister’s suggestion that we can ‘strike the right balance between environment and delivering a strong economic outlook’. Although the Minister is borrowing from the concept of sustainability, the idea of finding balance between distinct issues is outmoded and reductionist. The term “balance” suggests that economic, social and ecological issues can exist independently, which is not true. This reductionist approach does not lead to a good enough understanding of the whole system to make fully informed decisions. Furthermore, if we stick to the concept of “balance” we set the scene for trade-offs in which economics is too often deemed to be more important than ecological concerns. This is not appropriate for a policy designed to protect native vegetation. Economic activity has destroyed native vegetation and biodiversity in the past, and continues to do so.

In order to protect, restore and conserve native vegetation, this policy needs to reflect the UN’s approach to the Sustainable Development Goals, in which environmental, social and economic issues are identified that *interact* within a complex adaptive system. This is critical for effective governance. The UN argues that for ‘sustainable development to be achieved, it is crucial to harmonize three core elements: economic growth, social inclusion and environmental protection.

² <https://iap2.org.au/resources/spectrum/>

These elements are interconnected and all are crucial for the well-being of individuals and societies³. Capmourteres et al. (2019) explain that 'Achieving sustainability is challenging as an environmental and socio-economic objective, and as a complex concept whose multiple components and their interactions need to be considered'⁴. In the case of native vegetation policy, it must be recognised that ecological health underpins social and economic health. This approach to sustainability doesn't necessarily mean that everything is related to everything else - 'it is possible to work out significant pathways within this complex system, which is necessary to implement policies'⁵, remembering that *the point of this policy should be to protect and regenerate native vegetation above all else*.

The Government's native vegetation policy should therefore move beyond attempting to "strike a balance" to identify relevant significant pathways in the complex system/s which surround native vegetation. There are a number of methodologies that could be used to achieve this. For instance, Capmourteres et al. undertook a similar analysis of sustainability issues at a global scale using a structural equation modelling (SEM), which 'is related to analyses such as regression, principal components analysis and path analysis'⁶.

Biodiversity

As noted in the draft policy: 'The McGowan Government values Western Australia's unique ecology and extraordinary biodiversity, both of which are intrinsically linked to our State's native vegetation'⁷. As noted, the 'Environmental Protection Authority identifying clearing and degradation of native vegetation as a key threat to Western Australia's biodiversity'. The Issues Paper suggests ecosystem services provided by biodiversity including native vegetation are "costly to replace"⁸. In relation to forests, for example, Professor David Lindenmayer explains that 'Native forests, in terms of their value as carbon storage, significantly outweigh their value as pulp and timber. When you add that to the value of biodiversity and water, it's pretty clear what forest policy should be'⁹.

However even the assertion that ecosystem services may be costly to replace is not strong enough - it may not be possible to replace ecosystem services and the risks increase in a non-linear fashion¹⁰. Perhaps most importantly, economic value is not the only value that matters.

This Issues Paper also notes that 'Our native vegetation also supports the productive capacity of many important sectors of the State's economy including agriculture, pastoralism, forestry,

³ <https://www.un.org/sustainabledevelopment/development-agenda/>

⁴ Capmourteres et al. 2019. A Complex Systems Framework for the Sustainability Doughnut. *People and Nature* 1, p. 497.

⁵ Capmourteres et al. 2019. p. 497.

⁶ Capmourteres et al. 2019. p.499.

⁷ https://dwer.wa.gov.au/sites/default/files/NV_issues_paper_FINAL.pdf page v.

⁸ https://dwer.wa.gov.au/sites/default/files/NV_issues_paper_FINAL.pdf p.1.

⁹ <https://forestsforlife.org.au/the-plan/>

¹⁰ See for example <https://www.coursera.org/lecture/sustainable-development/what-is-biodiversity-V0aA6>; di Marco et al. 2019. Wilderness Areas Halve the Extinction Risk of Terrestrial Biodiversity. *Nature*. 573:582-585.

wildflower and seed harvesting, beekeeping and nature-based tourism'. We need to find ways of better evaluating and valuing that contribution, and communicating them. While I believe that native vegetation has intrinsic value that does not need to be justified in terms of economic value, it is important even from the perspective of neoclassical economics. For example, Polyakov et al. show that in Victoria 'The value of ecosystem services provided by native vegetation is maximized when that vegetation occupies about 40 percent of the area of a lifestyle property. Since the current median proportion of native vegetation is 15 percent, most lifestyle landowners could benefit from increasing the area of native vegetation on their properties'¹¹. We need a better understanding of both the intrinsic, economic and other values of native vegetation in Western Australia. This calls for more than data collection and analysis – community values must be taken into account.

Offsets

Regulation is needed to support the use of offsets. We also need to ensure that offsets do actually compensate for lost biodiversity over the long term – to achieve this, ecological restoration has to take place. If we simply preserve existing areas of high environmental value, we are inevitably losing biodiversity. Given the extent of ecological degradation that has occurred in Western Australia, and given the risk that restoration may not be successful or maintained over the long term, it may be preferable to over-compensate in terms of the amount of land required for offsets and the quality of restoration.

Investing in better information including mapping and monitoring.

Data collection through mapping and monitoring is an essential aspect of effective policy to protect and regenerate native vegetation. I am aware that there are data gaps in relation to targets, trends and conditions. This should include data related to appropriate significant pathways, as mentioned earlier, and data captured over time and large geographical areas. I would also like to see the return of the State of the Environment report, which can incorporate data into a strategic vision to better guide policy and governance¹².

A recent publication in the prestige research journal *Nature* shows that

Diversity effects grow stronger with time, and may increase at larger spatial scales. Diversity effects in small-scale, short-term experiments may underestimate the impacts of diversity loss on the functioning of more natural ecosystems....Consistent with this argument, a growing body of research now shows that the net effects of biodiversity on ecosystem functions grow stronger as experiments run longer¹³.

¹¹ Polyakov et al. 2013. Valuing Environmental Assets on Rural Lifestyle Properties. *Agricultural and Resource Economics Review*, p. 159.

¹² Bailey et al. 2018. State of the Environment Reporting in Western Australia: law, land and beyond. *Australasian Journal of Environmental Management*. 25(4): 371-384.

¹³ di Marco et al. 2019.

Similarly, Sutter et al. note that

Long-term monitoring and research projects are essential to understand ecological change and the effectiveness of management activities. An inherent characteristic of long-term projects is the need for consistent data collection over time, requiring rigorous attention to data management and quality assurance¹⁴.

Sutter et al. provide a 'general yet detailed guidance for the development of comprehensive, concise, and effective data management for monitoring projects. The guidance is presented as a graded approach, matching the scale of data management to the needs of the organization and the complexity of the project.' They look at 'roles and responsibilities; consistent and precise data collection; calibration of field crews and instrumentation; management of tabular, photographic, video, and sound data; data completeness and quality; development of metadata; archiving data; and evaluation of existing data from other sources'¹⁵. This and similar research may provide insight that can help to improve the Government's information monitoring and mapping.

Innovation in data collection and processing is also needed to support a better understanding of the interrelationships between environmental, social and economic issues related to native vegetation. Citizen science can play a vital role in data collection, and analysis.

Forests

I hope that the Government continues to improve its data collection and analysis in relation to forests. The controversy over the classification of old-growth forest continues and many of my constituents are very concerned about it. Their concerns are justified, as I discovered when I received FOI transcripts of conversations between the DBCA and the Conservation Commission from 2017 in relation to the review of draft procedures such as field survey techniques used to verify whether a stand of forest is old growth or not. The organisations disagreed about stump parameters and boundary rulesets.

The definition of 'Old growth as 'ecologically mature forest where the effects of disturbances are now negligible' has been in place for many years, however as the Commission noted, what differs are the 'field survey techniques applied by the department which have been designed to improve survey efficiency by maximising the use of aerial photography techniques and a targeted, systemic sampling for disturbance characteristics in the field. This approach builds on the results and experience gained during almost 10 years of routine survey for unmapped old-growth forest...'

¹⁴ Sutter et al. 2015. Practical Guidance for Integrating Data Management into Long-Term Ecological Monitoring Projects. *Data Management*. 39(3) p. 451.

¹⁵ Sutter et al. 2015. p. 451.

The Conservation Commission had criticisms of DBCA's new methodology and sent feedback to DBCA when the review was taking place. The Commission argued that 'using the proposed stump parameters and boundary rulesets as outlined in the draft procedure may lead to old growth forest areas becoming available for logging'. Nonetheless the DBCA did not change the stump parameters or boundary rulesets. As far as I know, these criticisms stand. Other stakeholders such as the Wilderness Society and the Western Australian Forests Alliance (WAFA) have additional concerns and are pushing for better evaluation of old growth forests, and protection of all High Conservation Value (HCVF) Forests.

Tensions remain, and change is urgently needed to ensure that our forests are better protected. There will undoubtedly be further technology-driven changes to methodologies, and the Native Vegetation policy has to take this into account. Decision-making processes must be more collaborative and transparent. A collaborative steering group involving relevant community, government, and industry representatives could help to achieve this. Collaborative governance such as this could be very helpful in many aspects of native vegetation policy.

Governance and regulation

The Beeliar Professors argue that policy levers should be carefully selected to ensure that they are complementary and not antagonistic. I agree with them – this is a basic principle of policy development. The various policy levers – including command and control, self-regulation, voluntary initiatives, economic instruments and free-market approaches - must be harmonised and their outcomes evaluated regularly so that policy can be adapted over time. The need for harmonised policy levers and ongoing evaluation should be stipulated in the Government's Native Vegetation policy and legislation.

In addition, research shows that 'the way we make policies, commonly through *segregated institutions, might not be enough to tackle the complex links among sustainability components...we need an improvement on the 'institutional fit'...of socio-ecological systems, where institutional arrangements that can contribute to sustainability are identified and encouraged to work together to achieve better social and ecological outcomes (Capmourteres et al. 2019 p. 503).*

It has become clear that we need to improve the ecological fit of institutions to the environmental issues they are required to deal with. We have repeatedly seen 'governance failures occurring as a result of a fundamental mismatch between institutional prescriptions and environmental problems' in WA and elsewhere around the world¹⁶. Epstein et al. explain that 'Spatial fit refers to congruence between the geographical extents of ecological problems and institutions. Spatial

¹⁶ Epstein et al. 2015. Institutional Fit and the Sustainability of Social-ecological Systems. *Current Opinion in Environmental Sustainability*. (14) pp. 34-35.

misfits arise when institutional applications are either too localized to encompass ecological problems or too large to meaningfully address the heterogeneous nature of those problems'¹⁷. The native vegetation Issues Paper explains that 'More than 10 government departments and authorities play a role in managing activities that affect native vegetation, applying 16 Acts which have widely varying primary goals'. Clearly, it is essential that the Government develop institutional arrangements that allow a range of government agencies to collaborate to address different geographical, temporal and functional characteristics of native vegetation issues to implement the policy. There is plenty of research that highlights the need for collaborative governance approaches to address sustainability issues¹⁸.

It would be a good idea to get the relevant government agencies and stakeholders together to co-design a suitable governance mechanism rather than try to impose one from above. This has been done before in Western Australia, for instance for the creation of the governance model for Growing *Kalgoorlie-Boulder Growth Plan* in 2017¹⁹. The Growth plan operates in 'partnership with the Goldfields-Esperance Development Commission (GEDC), State Government agencies, Regional Development Australia Goldfields Esperance (RDAGE), local business, Aboriginal stakeholder groups, industry associations and the community'²⁰. This range of organisations and stakeholders is similar to that which the government must involve in native vegetation policy. A range of innovative collaborative governance frameworks such as dynamic and adaptive governance²¹ were considered during the development of this which could also be considered for implementation of the Native Vegetation policy.

Key stakeholders such as farmers who play a role in protecting, regenerating and conserving native vegetation should also be given the chance to participate in the development of schemes²². Collaboration across government could be enhanced by the development of modelling tools for decision making. Examples exist that integrate real-time social, environmental and economic information and which could be adapted to suit (see <https://www.alces.ca/software/> for example, a modelling tool originally developed at Curtin University).

¹⁷ 2015. p. 35.

¹⁸ See for example Gollagher, M. and Hartz-Karp, J. 2015. The Role of Deliberative Collaborative Governance in Achieving Sustainable Cities. *Sustainability*. 5(6) pp.2343-2366; Epstein et al. 2015; Ansell and Gash. 2007. Collaborative Governance in Theory and Practice. *JPART* 18:543-571.

¹⁹ The Plan's objectives are to strengthen the City's capacity to drive long term investment, business and employment growth; deliver population growth that is generated by sustainable economic growth; support the efficient and effective delivery of development effort and investment. Although the basic premise that economic growth can be indefinitely "sustainable" is contestable, the plan does demonstrate an attempt to build collaboration. It remains to be seen whether it will be effective or not.

²⁰ <https://www.ckb.wa.gov.au/Doing-Business/Economic-Development/Growth-Plan>

²¹ See for example Saxena and Jagota. 2016. Could Sociocracy be the Way to MSME Governance? *Indian Journal of Corporate Governance*; Schaub, L. 2014. Reflections on Sociocracy. *Communities*.80:77-79; Torabi, N. 2019. *Adaptive Governance in Carbon Farming*. Palgrave Macmillian, Cham.

²² See for example Toderi et al. 2017. Bottom-up Process Design of Agri-environmental Measures at a Landscape Scale: Evidence from Case Studies on Biodiversity Conservation and Water Protection. *Land Use Policy*. 68:295-305.

I welcome the development of a State Native Vegetation Policy, and support the intention for it to be an 'across government' policy that guides all state agencies. The aim to create 'an enabling framework for consistent, transparent objectives for consideration across all government processes' is reasonable, as long as the objectives are guided by an appropriate vision. Ultimately, I would like to see native vegetation policy supported by legislation.

Yours sincerely,



Hon Diane Evers MLC
10 February 2020

