

Response ID ANON-4EM2-EKXY-S

Submitted to **Native vegetation issues paper**

Submitted on **2020-02-10 14:59:44**

Your details

1 What is your name?

Name:

Simon Hawkins

2 Can we publish your response?

Yes, you may publish my response in full

3 What is your email address? (optional)

Email:

4 What is your postcode? (optional)

Postcode:

██████

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.:

Yamatji Marpa Aboriginal Corporation

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

Community / Non-government organisation

If other, please specify.:

Native Title Representative Body

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

Indigenous

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:

Neutral

Please explain in the text box below.:

Given the past history of WA, where the resources sector is all powerful, we fear that economic imperatives have the potential to dwarf environmental, social and cultural outcomes. Striking a 'balance' might sound very well on paper but a re-wording of this objective could perhaps strengthen non-economic outcomes.

Objective 2 matrix - Objective 2:

Strongly supported

Please explain in the text box below.:

On paper this is a sound objective, however it might not be realistic if we consider the first objective as it is currently worded, where economic motivations are not necessarily compatible with the second objective.

Objective 3 matrix - Objective 3:

Strongly supported

Please explain in the text box below.:

Regional settings would potentially allow more opportunities for local Aboriginal groups (Prescribed Body Corporates or other local Aboriginal corporations) to be meaningfully involved in protecting or managing native vegetation.

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.:

From an Aboriginal perspective such a Policy would potentially provide a framework which is less arcane, more transparent and hopefully more user-friendly. Table 1 in the Issues Paper highlights the complexity of the legislative framework that relates to native vegetation outcomes. That complexity itself is a huge obstacle for most non-expert stakeholders such as Aboriginal groups.

Better information

11 How do you use native vegetation data within your sector? (Choose as many options as you require)

To plan for conservation, For baseline information for monitoring, Other

If you have chosen 'other', please specify:

Traditional Ecological Knowledge should be considered as well. Where possible the approach should combine western science with Indigenous science ('two-way science'). The 4th theme ('Bioregional approach') briefly mentions this but there should be consistency of philosophy and wording throughout the Issues Paper.

Some vegetation communities or individual plant species might not necessarily have a 'high conservation value' (as per western science definitions) but can have high cultural values for the local Traditional Owners: examples of bush food, bush medicine, cultural importance (totems, taboos, dreaming stories, etc.). Between 2014 and 2016 YMAC facilitated consultations between BHP and six language groups in the Pilbara, as part of BHP's Strategic Environment Assessment. A summary of key findings can be accessed in the impact assessment (section 8.3.2):

https://www.bhp.com/-/media/bhp/regulatory-information-media/iron-ore/western-australia-iron-ore/0000/public-environmental-review-strategic-proposal/160318_ironore_w

12 Which of the following elements of better information provision would be most relevant to your sector? (Choose as many options as you require)

Timeliness of assessments, Evidence-base for decisions

If you have chosen 'other', please specify:

13 What other opportunities are presented by improved information and improved access to information?

Please provide your answer in the text box below.:

Transparency is a key element, particularly in the context of providing information to Traditional Owners

Better regulation

14 Which of the following elements of better regulation would be most important to your sector? (Please rank your top three)

Rank better reg elements - Improved protection for native vegetation:

Rank better reg elements - Ensuring development is sustainable:

Rank better reg elements - Streamlined regulation for cost saving:

Rank better reg elements - Clearer requirements for business certainty:

Rank better reg elements - Improved assessment timeframes:

3

Rank better reg elements - Transparent, evidence-based decisions:

Rank better reg elements - Improved compliance and enforcement of unauthorised clearing:

Rank better reg elements - Equitable treatment of all proponents:

1

Rank better reg elements - Confidence in the regulatory system for all stakeholders:

2

Rank better reg elements - Other:

If you selected Other, please provide further information.:

15 What other opportunities are presented by better regulation?

Please provide your answer in the text box below.:

In the Issues Paper, there is no reference to the Native Title Act 1993. Under its part on Future Acts, S24GB s9 includes "acts permitting primary production on non-exclusive agricultural and pastoral leases". DWER is required to 1) notify native title parties of the act, and 2) provide the opportunity to comment within 28 days.

Other important elements of 'better regulation' for our sector are the cultural values of native vegetation, i.e. bush food, bush medicine and other intangible cultural assets such as totems and storylines.

A bioregional approach

16 Which of the following elements are the most important to you/your sector? (Please rank your top three)

Rank bioregional elements - 1. Transparent outcomes and objectives:

Rank bioregional elements - 2. Leveraging local knowledge:

1

Rank bioregional elements - 3. Strategic and innovative approach to conflicting interests:

2

Rank bioregional elements - 4. Clear targets and thresholds:

Rank bioregional elements - 5. Planned approach to dealing with cumulative impacts:

Rank bioregional elements - 6. Effective monitoring and evaluation framework:

Rank bioregional elements - 7. Supporting public-private partnerships for conservation:

3

Please explain in the text box below.:

Leveraging Aboriginal Knowledge: some of that knowledge might be restricted for cultural reasons or on IP grounds. There should be a way to get around this, for instance by looking at similar restrictions affecting information on threatened species (not readily available to the public, but can be accessed with the right credentials).

Supporting public-private partnerships for conservation: given the growth currently observed in Aboriginal ranger programs (Commonwealth or State funded, with income from fee-for-service arrangements or other business opportunities), we advocate for a much stronger focus on partnerships between the State and Aboriginal groups.

17 What other opportunities are presented by a bioregional approach?

Please explain in the text box below.:

Question: will this approach also consider the sub-bioregions? The issues paper is not clear about that.

18 What concerns are presented by a bioregional approach, for your sector?

Please explain in the text box below.:

While it's a good thing to adopt a more decentralised approach, the boundaries of the bioregions don't necessarily align with the traditional boundaries of language groups or native title determinations/claims. This could potentially create some uncertainty when it comes to partnering with Aboriginal groups.

Other initiatives

19 What initiatives do you think would work best to improve native vegetation outcomes in your region?

Aboriginal land management

Please explain in the text box below.:

Aboriginal land management and Traditional Ecological Knowledge should definitely be integral part of the four main initiatives, as cross-cutting themes, otherwise it looks too much like an afterthought or a footnote when classified as 'Other initiatives'.

20 What else could be done to improve the management of native vegetation to arrest the decline of native vegetation extent and condition?

Please provide your answer in the text box below.:

The Issues Paper mentions the Aboriginal Ranger Program (ARP) which is a relatively new initiative funded by the WA Government.

The paper should definitely mention Commonwealth initiatives as well, such as the Working on Country and Indigenous Protected Area (IPA) programs. These Federal programs have been running for many years and have significantly contributed to better management and conservation outcomes, particularly in the north and east of WA.

Existing IPAs in WA cover about 34m ha, which is more than the entire conservation estate officially managed by the State (a proportion of which is already jointly

managed).