

Native Vegetation in Western Australia: Issues paper for public consultation November 2019

Introductory comments

I congratulate the Government for this latest attempt to address the challenges of biodiversity conservation in Western Australia in the face of historic clearing and exploitation of the native vegetation and the ongoing pressures for further clearing. The approach presented for comment emphasises ‘balance’ and the need to ‘manage’ native vegetation rather than fully acknowledging the extent of destruction of native ecosystems and the accelerating threats presented by climate change and the warming and drying of the south west of the State. The (unfortunately) apparently final 2007 State of the Environment Report for WA painted a much more confronting and comprehensive picture of the loss of native vegetation in WA and the threats. For example thirteen years ago we knew the following (my emphasis):

1.2 Climate

Key findings

- **Climate change is happening now.** Most of the climate changes over the past 100 years can be attributed to human activities.
- Average temperatures across WA have increased 0.8°C over the past 100 years.
- Sea level has risen 15 cm at Fremantle over the past 100 years and will continue to rise.
- **Average winter rainfall in the South West has dropped 15% over the past 30 years.** In contrast, average annual rainfall in parts of the Pilbara and Kimberley has increased.
- WA's net greenhouse gas emissions increased 17% between 1990 and 2005. If land use concessions are excluded, then emissions have increased 45% over the same period.
- **WA's environment is highly vulnerable to climate change and the State's natural resources, biodiversity, industry and human health are at risk, and in some instances are already being affected.**

3.0 Land

Key findings

- There is inadequate information about WA soil and landform condition.
- **Vegetation cover, which provides a protective layer for land, decreased in 64% of monitored bioregions in the South West between 1996 and 2004.**
- Vegetation cover decreased in 22% of monitored bioregions in the rangelands over the last decade.

5.0 Biodiversity

Key findings

- At a national level, Western Australia has eight of 12 Australian biodiversity hotspots.
- At a global level, the South West is recognised as one of the world's 34 biodiversity hotspots.
- **WA currently has 362 threatened plants, 199 threatened animals and 69 threatened ecological communities.**
- **Recovery plans have been developed for less than one-third of threatened species and ecological communities.**
- **There is ongoing loss and degradation of biodiversity in WA.**

- Knowledge about many species and ecosystems and some threats to biodiversity remains inadequate.

Source: <http://www.epa.wa.gov.au/state-environment-report-2007>

And it's worth noting here without any further State of the Environment reporting it is extremely hard to even know what the state of the environment is and to provide any accurate data on changes and trends.

There must be a statement of principle that the starting point for any further consultation, discussion and policy development is recognition that there be no further loss or degradation of native ecosystems.

Any WA policy must be consistent with global goals in the International Convention on Biological Diversity, e.g. no net loss of native vegetation.

It also must be acknowledged that destructive management practises such as meeting arbitrary annual targets for the burning of vast areas of native forest without scientific basis and without assessment of the biological impact (particularly in a drying climate) has the potential to profoundly degrade these ecosystems. Any new initiative or policy on native vegetation must, at the very least, include a independent scientific review of the environmental impact of this current Government policy.

Four initiatives for improving vegetation management

1. A STATE NATIVE VEGETATION POLICY (pages 11-14)

The issues paper states: *'WA is a signatory to Australia's Native Vegetation Framework (COAG 2012). However, as WA does not have a single framework for native vegetation, the national goals have not been integrated into a single policy or approach.'*

As the *'Environmental Protection Act 1986 is the primary legislation'* that regulates assessments and approvals to clear and otherwise impact native vegetation, it is essential that these national goals be included in a single framework and policy under the EP Act, and further that these provisions override all other State Acts. This includes the 16 Acts listed on page 18.

As stated on page 8: *'A State Native Vegetation policy will promote consistency and transparency in the objectives that apply to native vegetation and clearing across all government processes.'*

This approach is supported.

As stated in Bush Forever Volume 1, page v: **Bush Forever** *'substantially meets the Government's commitments to the 1996 National Strategy for the Conservation of Australia's Biodiversity, signed by the heads of government in that it seeks to establish a representative system of protected areas'*. This representative system is referred to as the 'Comprehensive, Adequate and Representative' (CAR) reserve system.

It is recommended that a State Vegetation Policy includes this CAR commitment of the Bush Forever reserve system as protected areas, particularly in the light of Sawn Coastal Banksia woodland system being recognised by the Commonwealth as a threatened ecological system.

Box 6: Proposed policy objectives (page 12)

a. This objective needs rewording. The word 'balance' is open to selective interpretation. Protection of the environment needs to be given much more focus. Its protection must be the

primary consideration. Once the complex natural environment is cleared it cannot be restored, and cannot be offset.

b. Objection to word "management" of native vegetation the wording should have an emphasis on restoration, protection and conservation e.g. the objective should say "The restoration, protection and conservation of native vegetation" not the "management";

c. While this objective is supported, there are very significant knowledge gaps which need to be addressed. We do not know the extent and distribution of rare species and communities. Detailed survey and mapping is needed. Significantly more resources are needed to do this work and the associated taxonomy.

What opportunities are presented by the development of a State Native Vegetation policy focused on how the Government manages vegetation? (page 12)

The opportunity to:

Greatly strengthen protection, retention, and restoration of vegetation;

Increase knowledge of flora and vegetation in each region; and

Halt further loss and degradation of native vegetation and achieve **no further net loss**, and **net increase** in native vegetation cover and health.

2. BETTER INFORMATION (pages 15-18)

Issues

I agree strongly that it is essential that there be data and mapping showing what is actually cleared each year, as well as authorised clearing, exempt clearing, and unlawful clearing.

Expected benefits (page 15)

These benefits are supported. A consistent, robust, up-to-date single source of data is supported. Significant additional funding and expertise for government to provide this is essential.

Possible approaches (page 15)

Land Monitor should be fully utilised.

Box 8: Towards statewide, regularly updated native vegetation information (page 16)

The NDVI should be determined (e.g. using Land Monitor) to show the actual vegetation density cover as a measure of carbon sequestration over regular periods. Notably areas that are burnt, as well as contributing significantly to carbon emissions when burning, will have greatly reduced carbon sequestration function until regrowth occurs over a few years. Providing this information is essential for monitoring WA's carbon emissions and carbon sequestration.

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

Integration of all the site-based vegetation and flora surveys by all parties into more detailed vegetation maps thus greatly improving the knowledge base.

Community conservation groups including scientists need access to this vegetation data in making submissions and in understanding the extent of vegetation in various regions.

This much improved vegetation data is also obviously needed for planning and achieving conservation and restoration, and for monitoring so that a net increase in WA's vegetation cover can be achieved, along with securing no further losses of TEC's and habitats of endangered species.

Thus the following can be facilitated and achieved:

- Stop further vegetation losses in the over-cleared regions of the Perth Peel region, the South West biodiversity hotspot and the Wheatbelt.
- Prosecute all unauthorised clearing.
- Monitor total vegetation cover and health in each region.

3. BETTER REGULATION (pages 19-22)

Issues (page 19)

Effective regulation across government is needed to achieve and ensure effective conservation. This must include legislative reforms in addition to improved clearing controls to ensure conservation areas and native vegetation generally is protected, properly managed and funded. Lack of adequate State Government funding for on ground management to control threats is a major issue which must be addressed.

Bush Forever: CAR reserve system for Perth biodiversity hotspot.

A major omission in the Issues paper is consideration and implementation of **Bush Forever**. This must be included. Currently the Bush Forever plan and program has not been completely implemented and this is 10 years overdue. With increased threats, it is now urgent for the State Government to provide resources to properly protect this network of unique reserves to prevent their further degradation, provide the public benefits of nature in the city and to meet the elevated obligations of being the custodians of a biodiversity hotspot .

It is recommended that funding that has not yet been provided for the Bush Forever sites proposed to be transferred to the conservation estate and managed by DBCA be provided as a matter of urgency. This funding for protection and conservation management should be made an explicit legal requirement under *CALM Act* for protection and management of the 'CAR' reserve system of Bush Forever. Proper management of all Bush Forever sites and their public promotion will be a huge benefit to the people of Perth and visitors.

Local Government Strategies and Plans is part of Bush Forever

Further it is recommended that, as part of the Bush Forever plan, all Local Government Authorities (LGA's) in the Perth Region be required under the *Planning Act* and/or *MRS Act* to prepare and enact their Local Biodiversity Strategies and Plans according to the approved guidelines(by WALGA). While some LGA's have already done this, many are not completed. This will have major benefits in maintaining local biodiversity values including connectivity via linkages.

Further, it is recommended that all LGA's prepare Local Biodiversity Strategies and Plans, especially, but not only, in the south west region and the Wheatbelt. This will have great benefit to conservation of species and of endangered iconic species such as the 3 species of Black Cockatoos.

Bush Forever Areas in MRS Act

The boundaries of all Bush Forever Areas are identified on the MRS map. **It is recommended that** an amendment be made to the MRS Act to define the purpose of Bush Forever Areas:

'Bush Forever Areas shown on the MRS map are areas defined for the purpose of conservation of nature and passive recreation only, no other uses are permitted.'

What other opportunities are presented by better regulation? (page 20)

1. ***All areas of TEC's and the habitats of rare and endangered species be declared ESA's under the EP Act.***
2. The over-cleared and unique ***south west biodiversity hotspot***, and the ***Wheatbelt*** regions each be

declared as ESA's, and also that under a new native vegetation policy under the EP Act that no further clearing will be permitted in these regions. This must be enforced under the Clearing Regulations. See also below under Box 11 and Box 13.

3. The EP Act and native vegetation clearing regulations be used to achieve an overall environmental net gain, further biodiversity conservation, a net increase in vegetation cover and health in WA with increased carbon sequestration, and greatly reduced greenhouse gas emissions.

4. Box 11 page 21: Threatened species and communities

This box describes Banksia, Tuart and Wheatbelt woodlands as nationally threatened and protected ecological communities. This is under the EPBC Act. But it does not say if or how these communities are actually protected under Federal law. Currently they are not actually being protected under either Federal or State legislation and areas are being lost by cumulative clearing. If the Clearing Principles were rigorously applied under the Clearing Regulations, then clearing of threatened species and communities would not be permitted.

It is recommended that the Clearing regulations be clarified and strengthened so that clearing proposals at variance to one or more of the Clearing Principles are not approved and not permitted. The wording at the start of the list of Clearing Principles should be changed to *'Native vegetation must not be cleared if....*

Better regulation is needed so that threatened species and communities are actively protected under State law and cumulative loss by clearing and degradation is prevented. Under the EP Act, explicit provisions should be introduced so that all federally and State listed TEC's and habitats of endangered species are legally protected to prevent their further loss of extent and condition.

In addition, all TEC's and habitat of endangered species should all be listed under the EP Act as **'Environmentally Sensitive Areas'** (ESA's) which means that exemptions as described in **Box 13** do not apply.

5. Box 13: Managing unlawful clearing

Prosecution of unlawful clearing is essential. This should apply to LGA's and State agencies as well as private landholders. Unauthorised clearing of roadsides by LGA's is occurring in sensitive areas such as the Wheatbelt and this must be stopped. There were 67 cases of unauthorised clearing of roadsides recently but no prosecutions has happened. The capacity of DWER to prosecute must be greatly increased with additional resources, surveillance and staff.

6. Exemptions should not apply to the over-cleared south west region (including Perth and Peel sub-regions) and the Wheatbelt region. All proposals for clearing in these regions should be assessed under the EP Act by one agency i.e. DWER. No more clearing should be permitted in these regions. This must also apply to State Government infrastructure agencies including Main Roads, Water Corporation, Landcorp and the Department of Transport. The 'avoid' principle should be enforced so that suitable alternative locations for infrastructure in areas already cleared are applied.

4. A BIOREGIONAL APPROACH (23 – 26)

A bioregional approach is supported. Most of our comments provided under other items concern the south west region and the Wheatbelt. In these regions there needs to be an approach of protection to achieve no more loss of native vegetation extent and condition, and to actively

increase its restoration and to revegetate with local species. This means no more clearing and no exemptions in these regions. Protection needs to include the legal changes under the EP Act and other Acts as detailed. .

Notably the infrastructure agencies including Main Roads, Water Corporation, Landcorp, and Department of Transport all need to be required by the State Government to respect the need to **avoid** encroaching into native vegetation in these regions. This must be enforced by DWER and the EPA. This is not the current situation and requires urgent enforcement.

Further it is recommended that 'purpose permits' for land clearing all be withdrawn and this category be removed from the regulatory process.

In all bioregions, the protection of the natural environment and biodiversity must be the over-riding consideration and be the primary factor in decision-making under the EP Act.

In other regions the Clearing Principles and the principle of avoidance must be strictly enforced.

More **Environmental Protection Policies** should be introduced: e.g. for wetlands of the Swan Coastal Plain, for the Banksia Woodlands of the Swan Coastal Plain TEC, for the Tuart Forests and Woodland of the Swan Coastal Plain, or for protection of an endangered species in a particular region.

OTHER INITIATIVES (pages 27-30)

Box 16: Aboriginal land management

Supported. Need to invest much more in this.

The Aboriginal Ranger program is strongly supported and it should be extended.

Box 17: The value of nature-based tourism for regional economies

This provides a strong case to STOP roadside clearing, and to actively protect, and enhance roadsides.

Box 18: Environmental offsets fund restoration grants?

Not supported. The offsets process has been used as a justification to approve clearing in areas that should not be approved. For example in the south west and Wheatbelt which are already over cleared areas. Any further clearing in these areas is a net loss of native vegetation ecosystems. Revegetation needs to occur in these areas with the help of grants to landholders to encourage carbon farming and landcare with native tree and shrub planting as in past years.

Mining companies should be held to higher standards of revegetation.

Box 19: The power of private land managers in managing native vegetation

Initiatives in this box need greatly increased State Government investment. Programs such as Land for Wildlife, Urban Landcare, Urban Nature (in DBCA), State NRM all need to be restored and funded by the State Government to foster and support revegetation with local species - and the supply of these local species as well as weed control. Gondwanalink provides an excellent initiative for rural areas. The WESROC Greening Plan which was not formally implemented and should be implemented.

Box 20: Plan for Our Parks (page 30)

It is remarkable omission that the **Bush Forever plan** is not mentioned in this box and is not included in Plan for Our Parks. It must be included. See details above of Bush Forever and recommendations for its inclusion and changes.

Box 21: Economic diversification to support Rangelands condition

Less cattle and increased carbon farming is strongly supported for the Rangelands, as this has the potential to greatly increase carbon sequestration, - which is essential for addressing climate change.