Environment Institute of Australia and New Zealand Inc.

25 October 2021

Consultation Draft - Native Vegetation Policy for Western Australia
Department of Water and Environmental Regulation
Locked Bag 10 Joondalup DC WA 6919

Via email: nvs@dwer.wa.gov.au

Dear Sir/Madam

Re: Submission on the Consultation Draft: Native Vegetation Policy for Western Australia

The Environment Institute of Australia and New Zealand (EIANZ) Western Australia Division (EIANZ-WA) is pleased to provide feedback on the State Government's *Consultation Draft: Native vegetation policy for Western Australia* (the draft Policy).

EIANZ is a not-for-profit, professional association for environmental practitioners. The Institute promotes independent and interdisciplinary discussion on environmental issues and advocates good practice environmental management delivered by competent and ethical environmental practitioners.

We forward this submission on behalf of EIANZ-WA members. Currently, we have more than 190 members in WA while across Australia and New Zealand we have over 2,100 members. Our members come from a range of technical disciplines including certified environmental practitioners (CEnVP), ecological consultants, environmental advocates, heritage consultants, researchers, and environmental specialists working in government, industry and the community.

EIANZ-WA supports the State Government's commitment to the development of a Native Vegetation Policy for Western Australia. Overall, the intent, purpose and scope of the draft Policy is supported and provides a necessary element for coordinated and consistent management of native vegetation, however we would encourage the government to ensure the policy has clearly articulated and measurable outcomes to enable monitoring of the Policy's effectiveness. Our detailed comments to the Policy are provided below.

Thank you for the opportunity to provide feedback on the *Consultation Draft: Native tern Australia*.

[redacted]

EIANZ – WA Division

Does the policy adequately cover native vegetation values, opportunities and challenges?

EIANZ supports the overall intent, purpose, and scope of the Draft Policy but does have some concerns regarding the design and proposed implementation of the policy. EIANZ strongly believes that consistent, transparent objectives for the management of native vegetation across all government processes are fundamental to ecologically sustainable development within WA.

EIANZ supports strategic, regionally tailored action to conserve, restore, and maintain ecological function and biodiversity at a landscape scale. To ensure enduring success, such action must be informed and supported by consistent and reliable data and information.

EIANZ wants to see the policy strengthened to give effect to the objective of protection of remnant vegetation and restoration of Western Australia's degraded areas of priority native vegetation. This can only be achieved if the policy applies to all government and corporatised entities. This will ensure a consistent approach and the ability to influence broader industry participation by ensuring that corporatised government agencies and commissions are demonstrating leadership behaviour in applying government policy. Several government corporatised entities have quite regressive approaches to environmental issues, including the protection of native vegetation.

Ultimately, EIANZ is seeking a native vegetation policy that is about the coordinated protection, management and restoration of native vegetation across Western Australia. This approach should recognise the value of all agencies and entities that have a role in native vegetation protection and management such as the range of natural resource management (NRM) not for profits (NFPs) who provide significant services across Western Australia.

EIANZ strongly supports the integration of Aboriginal people and their cultural values into the native vegetation policy. Recognising the importance of First Nations and Land Connected Peoples is integral to a flourishing, sustainable and respectful society. And, importantly they have successfully coexisted with the Western Australian environment for millennia and therefore hold considerable knowledge that will be beneficial to the effective sustainable management and restoration of many degraded Western Australian landscapes.

Are the Guiding Principles a suitable contemporary foundation for managing native vegetation?

The guiding principles clearly state that the condition and extent of WA's native vegetation is declining. The values, practices, opportunities and challenges have been well understood for a long time. A clear risk to these guiding principles is the delay in decisive action and investment. The potential for continued inertia in the protection, monitoring and restoration of native vegetation will have long-term and catastrophic outcomes

EIANZ recommends that opportunities and challenges be discussed separately, as they are quite different. Within the draft Policy they are discussed interchangeably, and it is not immediately clear which is which, and some points cover both an opportunity and challenge.

Support for the Strategies and Outcomes

EIANZ supports strategies to improve data and integrate systems to inform coherent regulation, timeliness of assessments, and transparency through evidence-based decision making. The merit of any strategy will be determined by outcomes. The outcomes for the management of native vegetation needs to ensure:

- a State-wide net gain is achieved

- reject any further clearing of Threatened Ecological Communities
- substantially invest in a State-wide land restoration program

EIANZ supports improved regulation through clear objectives, removing duplication, improving coordination between agencies, and statutory timeframes for assessments. Cross-government regulatory processes must employ simple, well-defined approval pathways with transparent timeframes underpinned by clear, descriptive guidelines for proponent applications. This in turn increases stakeholder and community confidence in assessments, resultant decisions, and the State's overall management of its native vegetation.

Overall, EIANZ supports the strategies and outcomes, although we do note that these are high level and generally positive. However, it is observed that the fourth box states "…objectives are achieved" but that objectives have yet to be determined, or are not outlined in this document at least, so this is difficult to support. This box goes on to state "…with other state priorities" which tends to mean development, which historically has not gone well for native vegetation. The importance of this policy is to ensure that native vegetation is not sacrificed to development that is "in the State's economic interests". This would undermine the integrity of our native vegetation ecosystems which will ultimately weaken the State's economic success.

EIANZ strongly recommends that the government develop measurable outcomes for the policy that will be able to be tracked regarding the effectiveness of the policy in its implementation. The Policy's overriding objective should be to halt the decline of native vegetation quantity and quality through clearing and other pressures (invasive species, remnant vegetation isolation etc) and contribute to its restoration. In areas where critical thresholds have been reached (ie 30% of vegetation community/coverage and 10% extent vegetation community/coverage remaining) then the primary focus of government and this policy should be about the restoration of this to halt further biological diversity loss.

How suitable are the goals and approaches in guiding implementation of the policy?

EIANZ provides the following comments in relation to the four strategic areas identified within the Policy.

a) Strategy 1 – Planning, collaboration and coordination

EIANZ is concerned regarding the utilisation of the term 'regional planning' and 'regional areas' and the differences to existing concepts, including the Interim Biogeographic Regionalisation of Australia (IBRA). The use of a new 'regional planning' approach is likely to create confusion with the concept of bioregionalisation that is well entrenched and understood across Australia. It may also present difficulties in confusion with local government based regional planning models that also exist.

As a priority, the government should consider how it has prioritised a number of legacy sites that include areas of important remnant vegetation. Some of these areas are classified as urban and are therefore at risk of development without their importance being fully understood and protected.

This policy should assist key environmental legislation (*Environmental Protection Act 1986* and *Biodiversity Conservation Act 2016*), not undermine it. Where considerable clearing and fragmentation of native vegetation has already occurred, further clearing should not be considered until there is an improvement in coverage and restoration of remnant vegetation. Any attempts to water down the protection of native vegetation should be resisted considering the extent of decline that has occurred since European colonisation of Western Australia. This strategy needs to focus on the conservation of remnant vegetation rather than excusing this conservation in the name of development.

All government agencies should align and work together to protect Western Australia's unique native vegetation. Ultimately, this may mean that agencies that operate within the infrastructure, land development, mining and agricultural sectors need to work with their industry partners to improve the practices of these groups in making better decisions regarding the clearing of native vegetation.

Overall EIANZ supports this strategy and its goals and approaches.

b) Strategy 2 – Contemporary systems and practice

EIANZ is concerned that current economic drivers in the State such as mining, agriculture, transport and urban development, which have the greatest impact on native vegetation and remnant vegetation communities, are not being regulated effectively around their activities. EIANZ has previously raised concerns regarding the 'death by a thousand cuts' potential of exemptions to native vegetation clearing permit requirements and would like to see this reviewed by the government.

In particular, new clearing that is occurring within these sectors (infrastructure, mining, agriculture and urban development) should be scrutinised more intently, particularly where there is a failure to effectively rehabilitate and restore disturbed habitats from their activities. Attention should be paid where urban development activities continue to require the clearing of strategically important remanent bushland on the urban fringes.

EIANZ however is supportive of government agencies sharing knowledge and data more effectively to enable better decision making. EIANZ wishes to see important science organisations such as Department of Biodiversity, Conservation and Attractions (DBCA) and Department of Primary Industries and Regional Development (DPIRD) provided with the necessary funding to undertake scientific research that supports Western Australia's native vegetation and biological diverse terrestrial values.

c) Strategy 3 – Build and share knowledge

EIANZ is concerned that Western Australia does not have detailed vegetation mapping and that this can therefore compromise government decision making on native vegetation. The integral importance of detailed and contemporary mapping along with assessments of quality of vegetation in important communities to enable better planning, conservation and strategic actions cannot be underestimated or overlooked. Without this information the activities of the public sector and the environmental impact assessment processes that allow disturbance of native vegetation will continue to be compromised.

EIANZ supports the strategy to build this mapping and monitoring capability and to ensure that this is appropriately funded across government, the university/research, aboriginal land management and NFP sectors.

d) Strategy 4 – All sectors enabled

EIANZ supports the collaborative approach outlined in this section. Without all sectors of Western Australia's government, scientific and economic participants aligning around this important issue, benefits and the protection of biological values will not be achieved. That said, EIANZ is concerned that there are several situations where remnant vegetation of importance is located on private property resulting in the potential for a single landowner to bear a large and disproportionate responsibility for this native vegetation. The strategy should explore different mechanisms that will allow these individuals to benefit from conservation activities on private land.

Prioritisation of the roadmap actions

EIANZ believes the following are key priorities in the roadmap actions:

- Develop the objectives (1.2) and establish monitoring and evaluation against these (1.4)
- Evaluate the efficacy of current native vegetation mechanisms (1.5) and the loss of wheatbelt remnant vegetation (1.6 and 1.7)
- Digital systems improvement/development to capture data, track clearing, improve compliance and track vegetation condition (2.4, 3.1 and 3.2)
- Work on offsets (4.2)

Environment Institute of Australia and New Zealand Inc.

About EIANZ

The Environment Institute of Australia and New Zealand (EIANZ, the Institute) is a professional association for environmental practitioners. The Institute supports environmental practitioners and promotes independent and interdisciplinary discussion on environmental issues. The Institute also advocates environmental knowledge and awareness, advancing ethical and competent good practice environmental management.

The Western Australian (WA) Division currently has over 190 members while EIANZ more than 2100 members. Our members come from a range of technical disciplines and industries and include environmental consultants, ecologists, advocates, managers, and impact specialists working in government, ind

ustry and the community.

A Certified Environmental Practitioner Scheme (www.cenvp.org) is also in place to assess and certify competent experienced environmental practitioners working in government, industry and the community. This includes specialist competencies such as Impact Assessment, Ecology, Land Rehabilitation and Contaminated Lands.

The EIANZ is an advocate for environmental assessment, management and monitoring investigations and reports being certified by suitably qualified and experienced persons for the completeness and scientific rigor of the documents. One of the ways of recognising a suitably qualified practitioner is through their membership of, and certification by, an organisation that holds practitioners accountable to a code of ethics and professional conduct, such as the EIANZ.

The EIANZ is a not-for-profit, charitable organisation incorporated in Victoria, and a registerable Australian body under the *Corporation Act 2001* (Cwlth), allowing it to operate in all Australian jurisdictions.