

Submission on Amendments to the EP Act 1986

By Heidi Hardisty

Overview

I welcome any amendments to improve the EP Act 1986 and better protect and enhance WA's unique environment. I am worn out and demoralised from fighting so many battles and writing so many submissions only to see the continued destruction of our environment and biodiversity. There are very few "wins", i.e., positive results and improvement for our flora and fauna. Our policies, laws and processes are broken.

I also welcome the creation of a new native vegetation policy for WA. But this will be meaningless unless significant changes are made to the EP Act 1986, as well as the Biodiversity Conservation Act 2016. In addition, the EBPC Act 1999 must be strengthened; loopholes and exemptions that preclude environmental impact assessments being conducted must be removed. Only when all 3 pieces of legislation work effectively together so that the impacts are assessed properly at a local, regional and national level will we have better outcomes for the people and our environment.

Make no mistake. Western Australian's native vegetation, intrinsically linked to our unique ecology and biodiversity, is in dire straits. It is appalling that an initial review of the EP Act 1986 only commenced in earnest in 2006 and that it has taken until now to enact revision. It clearly shows that the vested interests of developers, foresters, mining and gas companies continue to be put ahead of the interests of the public and the environment. Quite simply, it is a disgrace.

I am distressed by the Minister's words that we must strike a balance between delivering our full economic potential and protection of the environment. We have completely lost the balance between protecting the environment and the exploitation of it. All efforts must now go into restoring this balance. We must focus on protecting and enhancing what little we have left of our natural environment. Otherwise there will be no healthy and prosperous future for anyone.

The EP Act is inadequate and has contributed to the excessive clearing and degradation of WA's native vegetation, threatening associated wildlife and entire ecosystems. The numbers of native plants and animals is dwindling, and the list of vulnerable and endangered species is growing. The southwest of WA is a global biodiversity hotspot because more than 70% of the region has been cleared. How can we justify any continued clearing, at least until a massive restoration program is put in place well ahead of it? The southwest will be one of the places most devastatingly impacted by climate change. It is happening already: the climate is drying; rainfall is decreasing; both bushfire and storm intensity and frequency are increasing. The clearing of native vegetation must stop.

Major Comments on Revision of EP Act 1986

There are many environmental organisations and people that have made submissions on the improvements needed for the EP Act since 2006 and have now submitted further details on this specific plan. I have read many of these submissions over the years, including drafts for this round. I respect and support almost every single one of these reports. So I will not duplicate the detail. These are the people that do not have vested interest but realise the vital importance of protecting and enhancing our environment, rather than exploiting it. Indeed, we will have a healthier and more prosperous future than clearing it now.

The EP Act gives industry and those with vested interest an unfair advantage to clear native vegetation. The amendments do not go far enough.

The EP Act needs to be an overarching piece of legislation to clearly define the importance of our natural environment and our duty to protect it. The environment must be a priority over all other legislation. All life, not just our own, depends on it.

There needs to be a concentrated focus on local and regional significance of environmental impacts, not just National. If native vegetation is to be cleared, then it should be a requirement to do a comprehensive EIA for all proposals at all of these scales. The EIAs should be independent, at arms-length, from the proponents.

All proposal should include a detailed analysis of the long-term value (or destruction) of the environment which includes the economic, social and environmental components. This must be made available to the public for scrutiny and appeal.

Every proposal should have must have an independent review of the EIA and economic analysis as part of the process with the reviewer chosen by the public or public organization (University environment department, EDO, WWF, CCWA, etc).

Monitoring, Enforcement, and Regulation

A lot more resources are needed for management, monitoring, reporting, and enforcement. Huge resources need to go into environmental education so that people can understand what biodiversity is and how important it is to preserve it. People also need basic environmental understanding of climate change and how to mitigate and adapt.

Please stop using the terminology “One Stop Shop Approval and Assessments”. It is highly distressing. Assessments are not a trivial shopping expedition, but a decision-making process that will have long lasting impacts, most irreversible and potentially devastating. Proposals should be carefully examined.

If the EIAs are not made mandatory for all proposals where native vegetation is affected, then the public should be given the right to refer proposals for environmental assessment and to appeal decisions, especially those decisions not to assess.

The public should also be given the right of third party enforcement proceedings for environmental offences.

All reasons and justifications for proposal decisions, including the triple-bottom-line analysis, should be made available to the public.

Environmental Protection Policies

The EPPs for Wetlands on the Swan Coastal Plain and Gnargara Mound should be immediately reinstated. All EPPs should be strengthened to protect these vital habitats and made to be followed with the force of law.

Reinstate the State of the Environment Report and mandate recommendations be undertaken and achieved.

Conclusion

We are out of time. We are rapidly losing WA's incredible biodiversity. Without urgent action now, we face mass ecosystem collapse and the associated extinctions of plant and animal species that we have a duty to care for. Our own health, well-being and survival depend on it.

We must strengthen our environmental laws now.

People at home, in business and in government must be prepared to sacrifice.

Thank you for your consideration.

Yours Sincerely

Heidi Hardisty