

Dr Chrissy Sharp

Dear officers at DWER

With regards to the proposed amendments to the Environmental Protection Act, I should like to make the following points;

1. It is commendable to update this important legislation.
2. I have read much of the drafted exposure Bill and support the proposed changes.
3. I suggest one further issue that is not covered by the proposed drafting. This the regulation of ecological thinning of native vegetation.

Ecological thinning is of benefit to the health and structure of native forests on those sites which have been heavily disturbed by past logging and which are neither a threatened ecological community nor HCV. If done properly it will contribute to the resilience and ecological values of the forest stand.

Currently such work on private property requires an area permit. The cost of such permits are prohibitive to small landowners wishing to steward their native forests. Thus the clearing permit system is currently presenting a barrier to this practice. Nevertheless ecological thinning is advocated by both Conservation and Parks Commission's current *Forest Management Plan* and the FPC's *Djarlma Plan*.

At the same time such work requires some regulatory approval to ensure that it is not a form of closet-clearing and is carried out under accepted environmental principles.

To encourage this practice but ensure it is correctly applied I suggest the following considerations;

- By an amendment to the clearing definitions under s.51 A that specifies what is considered clearing. e.g. by further defining which bits of "some" tree removal are ok and not defined as clearing. However this would then exempt ecological thinning from any regulation.
 - Preferably bring it within the provisions of a PURPOSE PERMIT under s. 51(b) ii, as opposed to the current area permit classification. In this way ecological clearing *under a prescribed plan*, as outlined in Schedule 6, could be issued a permit at a cheaper rate than the current cost of supervising each individual area permit application.
4. PURPOSE PERMITS in general need tightening. For example they are easy exemptions for government agencies such as Main Rds Dept. Now that DWER is better funded perhaps some consideration could be given to reviewing the specifications for all purpose permits to ensure their application is sensitive to environmental values.

Thank you for the opportunity to comment.

Kind regards

Dr Chrissy Sharp

EPA Member 1989-1993

PS I have also attached an earlier letter to Minister Dawson on the topic of ecological thinning.

Dear DWER officers

Yesterday I put in a small submission regarding purpose permits under the *EP Act*.

In yesterday's submission I made a case for encouragement of the practice of ecological thinning.

Last night I realised that I had simply assumed DWER's knowledge of the benefits & case for this practice.

Perhaps I should therefore add;

- The case for ecological thinning receiving more favourable treatment under the clearing permit system is based on data and observations about SW rural tree decline and on scientific studies in State Forest rather than on private land. However the same conditions prevail regardless of land tenure.
- The longest operating piezometer under Jarrah-Marri State forests near Dwellingup reads a groundwater drop of 18m since 1975. Also the work of Kinal and Stoneman for DBCA shows that in the same Yarragil location, the drop under regrowth stands thinned in 1980's is still a reduction but significantly less severe at 6m reduction.
- The works of Bill Gammage, Bruce Pascoe and David Ward all provide substantive historical reference to forest structure in 1829 under Noongar management and imply that the mosaic creeping burns of traditional practice effectively resulted in pyrotechnic thinning of Jarrah-Marri system. This practice largely ceased in 1860's.
- Indeed the only way to kill a Jarrah tree without herbicide or a chainsaw is to burn it when it is less than five years old before the lignotuber has become resilient.
- Today the structure of Jarrah-Marri regrowth forests is characterized by dense stands of young trees, often with thousands of tree stems per hectare. This structure is researched to use up to twice the water of older, well-spaced forests, and is also more flammable. A diabolical combination with the falling groundwater.

Above is a short summary of why "country needs people".

Thank you for taking my submissions.

Dr Chrissy Sharp

The SMALL TREE FARM

PO Box 21

Balingup

WA 6253

Hon Stephen Dawson MLC

Minister for Environment

12th floor DUMAS HOUSE

2 Havelock St, West Perth 6005

21st November 2019

Dear Minister

PERMITS FOR ECOLOGICAL THINNING & REGIONAL TREE DECLINE

There is a significant problem with the definitions of “clearing” under s.51A in Division 2 of the Environmental Protection Act. These definitions make no differentiation between clearing and ecological thinning because removing “some” or “all” vegetation are both defined as clearing.

Where there has been significant past disturbance of our South West forest and woodlands, the current regrowth is characterized by dense thickets of trees. This disturbed structure uses up to twice the water of well spaced trees - although, as we know, the groundwater levels in the South West have dropped up to 18m since the mid- 1970's.

This combination of altered structures, together with the absence of Noongar burning techniques, added to climate change and rainfall reduction have produced a perfect storm for our native vegetation. We are now experiencing significant regional tree decline.

*The only scientifically validated solution to assist these stressed ecosystems to adapt to climate change is a practice known as ecological thinning. This refers to the removal of some of the weaker trees to enable a strong dominant canopy of more resilient trees to grow stronger and healthier. This practice is advocated in both the current **Forest Management Plan** and in the JPC's strategic **Djarlma Plan**. Thus the "some" removed are the weaker trees.*

However this practice is very difficult for private landowners who wish to improve the health of their native vegetation due to the poorly worded definitions at s.51A which incurs the prohibitive expense to take out an area permit of a purpose permit.

Ecological thinning is NOT clearing and is actually beneficial to the environment.

*Thus, in the short term, would you kindly consider **exempting the fees** for this already expensive not-for-profit management, in order to encourage the practice?*

Section 6(1) of the Environmental Protection Act says,

"The Minister or the (Environmental Protection) Authority may with the approval of the Governor declare by order that all or any of the provisions of this Act or an approved policy do not apply... in respect of -

- (a) Any specific area of the State*
- (b) Any specific premises, act or thing; or*
- (c) All premises, acts or things comprised in a specific class thereof or situated in a specific area of the State."*

*In the longer term, it would make sense to encourage this beneficial forest and woodland management practice by **amending the definitions** to distinguish between clearing, that the Act seeks to reduce, and the restoration of a healthy structure that ecological thinning enables, and which the Act should be encouraging.*

Thank you for considering this matter.

Kindest regards

Dr Chrissy Sharp

2018 Joint Environmental Volunteer of the Year; MLC for the South West for Greens WA 1996-2005; Chair, Standing Committee for Ecologically Sustainable Development 1996-2000 & Chair, Standing Committee for Environment and Public Affairs 2001-2005; EPA Member 1989-1993

Co-Founder Golden Valley Tree Park