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28 January 2020

Manager, Strategic Policy – Environmental Protection Act 1986 Amendments
Department of Water Environmental Regulation
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Dear Sir/Madam

PROPOSED AMENDMENTS – EPA 1986

The Forest Industries Federation of WA (FIFWA) is the industry association for the timber industry in Western Australia. Our membership includes all the major companies and businesses that operate in the WA timber industry, including commercial plantation growers and managers, harvest and haulage operators, and timber processors in both the plantation and native timber industry sectors.

We welcome this opportunity to respond to proposed amendments to the *Environmental Protection Act 1986* (EP Act).

Of particular relevance for the timber industry are reforms relating to bilateral agreements with the Commonwealth and amendments relating to managing native vegetation (Part V).

Bilateral Agreements with the Commonwealth

The bilateral agreement framework underpins the crucial WA Regional Forest Agreement (RFA) between the WA and Commonwealth governments, and has proven to be successful in delivering sustainable management for the forests of South West WA.

The RFA encapsulates the comprehensive, adequate and representative reserve system, certainty of resource access and supply to industry as well as ecologically sustainable forest management for areas outside of reserves.

Any reforms proposed to the bilateral agreement framework should be focused on delivering meaningful improvements without compromising demonstrated benefits.

A further consideration for the State Government with respect to the bilateral agreement framework should relate to misleading and deceptive commentary. The extension of the WA RFA

formalised in March 2019 was accompanied by outrageously incorrect media commentary by forest protesters and Greens MPs. Their claims were that the RFA permitted forestry operations to escape the scrutiny of the Federal EPBC Act. In fact, the RFA is essentially an administrative agreement between the State and the Commonwealth recognising WA's forest management system and processes are based on the principles of ecologically sustainable forest management and are sufficiently robust to address impacts on environmental values.

When such misrepresentations are propagated, and not addressed by authoritative sources within Government, sound public policy can be compromised.

Clearing (Thinning) of Native Vegetation

The fact that silvicultural intervention in native forest requires a "clearing" permit under the EP Act suggests a fundamental misconception around the nature of such activity. The language of this legislation should be overhauled and made accurate and contemporary.

Those who are amending the EP Act need to familiarise themselves with the *Djarlma Plan for the WA Forestry Industry* released by the State Government in July 2019. Amongst other matters, the *Djarlma Plan* speaks of the importance of ecological thinning involving the commercial removal of regrowth to demonstrate improved forest health and resilience. The focus on ecological thinning has been underscored by the dramatic decline in winter rainfall over many decades and the excessive density of regrowth forests.

Measures like ecological thinning and the related mechanical fuel reduction should be facilitated by government policy, not hamstrung. Loading excessive costs on proponents seeking enhanced environmental and productivity outcomes from native forests, simply encourages neglect of the forest estate.

A key lesson of the 2019/20 Australian fire season is surely that the community will not accept policies that overlook the excessive accrual of fuels in forested lands. The community is also intensely interested in ecological thinning and retaining access to our forests. The WA Government is to be commended in retaining its enhanced prescribed burning program.

We trust these comments assist in the development of amendments to the EP Act 1986, and will be very pleased to respond to any queries you may have, and will follow closely the process of reforming environmental protection legislation.

Yours sincerely,



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