

10 February 2020

Native Vegetation Strategy
Department of Water and Environmental Regulation
Locked Bag 10,
Joondalup DC, WA, 6919



Environment Institute
of Australia and
New Zealand Inc.

Dear Sir / Madam

RE: Submission on Native Vegetation in Western Australia Issues Paper

The Environment Institute of Australia and New Zealand (EIANZ) Western Australia (WA) Division (EIANZ-WA) is pleased to provide feedback on the issues paper on *Native Vegetation in Western Australia*, released by the Department of Water and Environmental Regulation (DWER) in November 2019 for public consultation.

EIANZ is the leading professional body in Australia and New Zealand for environmental practitioners and promotes independent and interdisciplinary discourse on environmental issues. On all issues and all projects, the Institute advocates good practice environmental management delivered by competent and ethical environmental practitioners.

We forward this submission on behalf of the WA EIANZ members. EIANZ-WA currently has approximately 160 members while the Institute has over 2000 members across Australia and New Zealand. Our members come from a range of technical disciplines including certified environmental practitioners (CEnVP), ecological consultants, environmental advocates and environmental impact specialists working in government, industry and the community.

Our comments on the issues paper are set out in Attachment 1. We thank DWER for the opportunity to be engaged in discussions on arresting the decline in native vegetation in Western Australia and contributing to mechanisms and activities that will contribute to its recovery.

Yours sincerely

A handwritten signature in black ink that reads "Bastow".

Belinda Bastow
President
EIANZ – WA Division

Attachment 1: Response to the *Native Vegetation in Western Australia: Issues Paper*

1 Introduction

1.1. Background

The EIANZ-WA Division is pleased to make comments on the *Native Vegetation in Western Australia: Issues Paper for Public Comment November 2019*. EIANZ views the development of a consolidated and consistent approach to managing and protecting native vegetation in Western Australia (WA) as commendable. WA is one of only 36 biodiversity hotspots globally and also accounts for over 50% of Australia's biodiversity hotspots.

The contribution that native vegetation provides for continuation of many industries in WA and also cultural and spiritual renewal are often poorly evaluated when making development decisions. Improving the process for decision making where impacts, both direct and indirect, occur to native vegetation is critical for biodiversity, community and economic outcomes.

EIANZ supports the four initiatives of the Western Australian Government to protect and enhance native vegetation, in particular:

- The development of a clear and comprehensive policy regarding native vegetation and its management for WA. This is required prior to the determination of further instruments (including legislation) to meet the policy's objectives.
- Development of a policy that is focused on strategic decision making to conserve most at risk native vegetation and to promote the restoration of WA landscapes that supports many economic, social and cultural activities by Western Australians.
- The adoption of a bioregional approach to the management of native vegetation.
- Tracking the extent and location of clearing.

EIANZ considers that consultation with stakeholders is timely, to promote feedback on the effectiveness of the proposed policy objectives, to identify any gaps, and encourage ideas on how managing native vegetation for all Western Australians can be improved. Widespread consultation is imperative to ensure the Native Vegetation Policy and subsequent implementation plan provides clarity and certainty for people in Western Australia.

EIANZ has engaged practitioners and technical experts to provide valuable feedback on the issues paper. EIANZ's submission provides direct responses to key issues of concern and raises functional changes which could be made to resolve identified issues. EIANZ is hopeful these recommendations are included in policy work related to native vegetation and/or public consultation, to ensure a more equitable and science-based approach to protecting and restoring native vegetation can be achieved.

1.2. Role of the EIANZ

The EIANZ, as the leading membership based professional organisation for environmental practitioners in Australia and New Zealand, is an advocate for good practice environmental management. 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.

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 (Cwth), allowing it to operate in all Australian jurisdictions.

2 General Observations

EIANZ-WA makes the following general observations regarding the current state of native vegetation protection in WA:

- EIANZ-WA members are concerned existing initiatives have not been capable of halting the current trend of declining native vegetation. It is therefore critical that the WA Government acts decisively to protect native vegetation and make science-based decisions regarding clearing of remaining native vegetation.
- All clearing data (including clearing approved through exemptions) in WA should be tracked by one system to provide a consolidated and comprehensive understanding of the true picture of vegetation clearing to enable informed decision, based on robust data.
- A preference that all clearing decisions be covered by one legislative instrument (i.e. the *Environmental Protection Act 1986*). This approach aligns with the WA Governments' objective to simplify and streamline approval processes. This will ensure consistency in decision making and allow greater consolidation of data regarding clearing activities. One of the greatest threats to native vegetation currently is the extensive clearing that occurs as part of local government planning (including clearing annually for firebreaks). Alignment of clearing under one legislative instrument should not compromise or undermine the intent of other legislation, such as the *Mining Act 1978* or the *Land Administration Act 1997*. Delegated authority to assess clearing may be considered once assessment material and appropriate training has occurred and governance systems are in place to ensure consistency across agencies.
- Where parties (individuals, corporations and government agencies, for example, the Forest Product Commission) have been allowed exemptions to requirements to obtain clearing permits, these should be phased out to ensure that there is an equitable, consolidated and consistent approach to vegetation clearing activities and that meaningful data regarding the actual extent of vegetation clearing can be determined on an annual basis.
- Moving forward, all clearing should be reported on an annual basis, regardless of the mechanism under which it occurred. This annual reporting will improve data collection and tracking of the clearing extent occurring annually and cumulatively across WA. This data collection program should also include revegetation and/or regeneration to enable a comprehensive review of the status of native vegetation extent and quality.

3 A state native vegetation Policy

EIANZ-WA supports the development of a State native vegetation policy with consistent, transparent objectives for the protection, recovery and management of native vegetation. It is important that the policy is equitable to all parties in WA and recognises the value of native vegetation to the social and cultural fabric of WA society. In developing a policy, EIANZ-WA advocates:

- Policy objectives:
 - A policy on native vegetation should be about its management, protection and recovery. Allowing the policy to be influenced by social and economic drivers will ultimately result in a continued decline of native vegetation in Western Australia.
 - A policy should allow prioritisation on high and at-risk vegetation, with consideration given to changes to conservation status over time, supported by robust monitoring and data collection. Where recovery has been successful, monitoring should continue to occur prior to consideration of additional clearing in these areas.
 - Native vegetation exists in a dynamic environment, with natural and anthropogenic processes currently under considerable flux. Any prioritisation should recognise this dynamic landscape.
 - Future threatening processes such as climate change and altered fire regimes need to be a fundamental component of the policy objectives. Impacts arising from climate change in WA are only commencing and are likely to become significantly worse in coming decades (e.g. dieback movement as a result of altered rainfall regimes, drying climate, more frequent and intense fire regimes all contributing to stress on native vegetation already under threat).
- Policy implementation:
 - Consideration should be given to the development of a state-wide native vegetation and remnant vegetation strategy to guide a whole of state approach to the management, restoration and clearing of vegetation and give clarity on how the policy will be implemented.
 - Further examination of alternative policy instruments to meet the policy objective(s) should be explored. Australian Governments' continue to have a disproportionate focus on legislative instruments to address the policy objectives. For example, economic incentives for reduced clearing, revegetation and offsets could be considered.

4 Better Information

EIANZ-WA supports the development of a better system to monitor native vegetation clearing, rehabilitation and quality to support government decisions that are evidence-based. In particular:

- Data management should continue to explore and adopt new technologies. Where existing legislative controls occur that decrease their adoption, these should be removed from legislation.
- Re-introduction of the State of Environment Reporting should be considered to allow regular understanding regarding the extent of clearing and status of native vegetation, including vegetation communities and bioregions that are under threat.
- A review of other technologies or processes used by other Australian states should be undertaken prior to the introduction of any new data collection systems.

5 Better regulation

EIANZ-WA supports the development of better regulation and its implementation to monitor native vegetation clearing, rehabilitation and quality to support government decisions that are evidence-based. To achieve this, EIANZ-WA advocates the following:

- A review of exemptions and low impact land management practices should be undertaken in light of the continuing decline in extent and quality of native vegetation.
- Competency requirements should be explored for native vegetation assessments and assessing officers. Due to the uniqueness of WA vegetation, both basic and advanced skills should be developed within assessment departments to ensure that scientifically robust and quality data driven decisions are being made. This could include:
 - Better guidance on how assessing and scientific officers consider the issue of 'significance'. This information should be made publicly available. This will provide clarity and transparency to proponents, community and other land users. Value-based judgements are often applied rather than a robust and scientific quantitative framework.
 - Cumulative assessment of some critical vegetation communities should occur irrespective of the volume of clearing proposed. This is crucial to protect threatened communities or communities at risk of becoming threatened.
 - Better enforcement and compliance of permits and legislation needs to occur to demonstrate to communities that the Government is focused on meeting its objectives regarding protection of the environment.
- The issues paper provides limited consideration to the value and role of volunteer conservation and land management groups (i.e. Landcare, Greening Australia etc) and the valuable contribution these groups make, including in biodiversity and vegetation outcomes and economic multiplier effect. Further consideration is required on how these groups can be supported to enable them to continue to deliver the significant benefits to native vegetation conservation and restoration activities.
- Further exploration of alternative conservation activities is required, such as the conservation covenant discussion in the recent EP Act discussion paper. The ability to protect significant vegetation mosaics in WA in conservation reserves, is unlikely to be feasible, therefore exploration of other incentive mechanisms that align to the policy outcomes would be beneficial.
- The current offset policy framework does not consider the considerable value of regeneration and revegetation works that is undertaken. This may contribute to a perverse outcome where less focus is placed in this area by corporate and local government entities and may ultimately reduce native vegetation and biodiversity outcomes.

6 Bioregional approach

EIANZ-WA supports a bioregional approach to manage native vegetation clearing, rehabilitation and quality. This approach recognises that native vegetation needs to be managed within appropriate compatible land uses to meet appropriate performance indicators for functioning ecosystems and that these are not represented by the current social geographical planning structures. In particular:

- Threatening processes such as isolation of vegetation communities, island effects and edge effects all contribute to the ongoing decline of native vegetation in WA. Finding alternative approaches to mitigate these through connected reserves and private land conservation is critical to achieving biodiversity objectives.

- Considerable land has been reserved for services to towns that is no longer required (for example, rail reserves and water reserves for rail and road construction or townsites). Many of these services are no longer proposed as changes in demographics and population centres has occurred. Much of this area was historically mapped by the WA Museum and could fall within a connected reserve system established to protect and manage native vegetation and restore ecological linkages.

7 Other considerations

EIANZ requests that the WA Government gives consideration to making this an Ecosystem Policy to also cover fauna and other habitats such as surface and groundwaters which are critically important to the continued health and wellbeing of native flora and fauna.