

February 9th, 2020

Submission on Native Vegetation in WA

By Heidi Hardisty

Overview

Make no mistake. Western Australian's native vegetation, intrinsically linked to our unique ecology and biodiversity, is in dire straits.

We have completely lost the balance between protecting the environment and the exploitation of it. Hence the focus must be on restoring the balance that we have lost. Unless drastic changes are made now it will be impossible to 'strike a balance' between protecting the environment and delivering a strong economy. We must do this by protecting and enhancing what little we have left of our natural environment so that further loss and degradation of our native vegetation is stopped. Concurrently, priority areas that have previously been cleared and degraded must be identified and restored. Only then will we ensure a healthy and prosperous future for all (including wildlife).

Historical mistakes and inadequate environmental legislation have resulted in excessive clearing of WA's native vegetation, threatening associated wildlife and entire ecosystems. And it continues. 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 entire bioregion has already been cleared. 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. We have recently lost huge, unprecedented expanses of native vegetation and animals to bushfires. The clearing of native vegetation must stop.

Without urgent action now, we face mass ecosystem collapse and the associated extinctions of plant and animal species which in turn will affect our own health, well-being and survival. We must act quickly and with courage. People at home, in business and in government must be prepared to sacrifice.

In conjunction with this plan there must also be a specific plan to stop the growth of human population and urban sprawl in the Perth and Peel Regions. The Swan Coastal Plain is one of the most biodiverse places on the planet, a hotspot within a global biodiversity hotspot. Insect and bird populations are plummeting. We should be ashamed. We must reverse this trend. It is the government's duty to provide healthy and beautiful living conditions and conserve our unique biodiversity. Perth will be one of the cities hardest hit by climate change.

Over 5 years of work was done on the Strategic Assessment of the Perth and Peel Regions. This work should not be lost. It should be continued, but with the priority to conserve our remaining green space, not exploit it for the developers to make a profit. We can develop differently, focusing on land that is already cleared and restoring and replanting areas that have been degraded. Planning laws need vast reform. We must stop over-developing Perth and over-extracting groundwater.

We do have the capability to turn things around. We can have an economy with meaningful jobs that doesn't rely on destroying our environment but lives in harmony with it.

Answers to Questions in Issues Paper

PROPOSED POLICY OBJECTIVES

- *How well do you support each policy objective in guiding our development of a policy?*
 - a. I agree that we need consistent, transparent and strategic management. But we must focus on restoring the balance between conserving our natural world and exploiting it. We have SO tipped the balance in favour of developers, mining and gas companies that we are no longer considering the best interest of the public or any other life.
 - b. I agree with a strategic approach but not at the expense of losing local and regional native vegetation. People need to be connected with nature in their own neighbourhood.
 - c. It is too late to just prioritise at-risk native vegetation. Because we have already cleared far too much, and with the other threats to biodiversity ever increasing (particularly climate change), we must also focus on common species as well. If we don't, they will be quickly added to the ever-growing threatened species lists. We must change our perspective to live in harmony with nature, not to conquer it (more easily) for a quick buck. We can do this.
- *What opportunities are presented by the development of a State native vegetation policy focused on how the Government manages vegetation?*

If the management is focused on the outcome of protecting native vegetation and preventing its further loss and degradation, it can only be a win-win for every person and all other life in the long run.

TOWARDS BETTER INFORMATION

How do you use native vegetation data within your sector?

I am a full-time volunteer helping to lead one of the largest wetland restoration projects in Perth (Lake Claremont). I also campaign and advocate for the protection and enhancement of the remaining bushlands in Perth and forests in the southwest and get involved in many similar campaigns throughout Australia. The conservation sector needs far more information and guidance from experts (on the ground supervision and in planning) to aid in conservation and restoration efforts. The work often comes down to a few key individuals who are highly under-resourced and over-worked.

- *To plan for conservation:* Info is very useful to show how important conserving our biodiversity is, especially at a local and regional scale. Many people don't understand the concept of ecological linkages, refuges or seed banks. Many don't understand that we need to protect vegetation and mature trees in cities, not only for biodiversity, but to help people connect with nature and have a beautiful place to live that nurtures mental and physical health and well-being (reduces air pollution, local temperatures, noise, etc.)
- *To plan for restoration:* Have the resources and supervision to plan a project and use the right species for differing outcomes
- *To scope offset opportunities:* Every assessment should strive to protect native vegetation and offsets should only be used in projects where there is absolutely no other alternative. Given the level of our technology to come up with alternatives, there should now be very few projects that legitimately need to clear native vegetation. Where offsets are imposed,

these should be local restoration projects and commenced years before a project is commenced. This can be done as there are many speculators holding onto land now that could be commencing offset projects for future proposals. If they can't, then don't approve the proposals.

- *To inform applications to clear or impact vegetation:* This is absolutely critical info to show what the potential impacts of clearing are on ecosystems and specific species. Cumulative impacts must be analysed, or the assessment process is flawed and useless. There needs to be a focus on local species, rather than MNES. Otherwise Perth and southwest will end up with a handful of species, not a rich variety.
- *For baseline information for monitoring:* Again, this is critical information to inform everyone on how our native vegetation is tracking. We are far behind in baseline info and monitoring and the DBCA is grossly under-resourced to carry out these tasks.
- *Other*

Which of the following elements of better information provision would be most relevant to your sector?

- *Cost saving:* The short-term costs savings or profits for an individual or a company/corporation cannot be put ahead of the long-term value of the native vegetation and all of the ecosystem services it will provide. Current cost analyses for businesses almost always ignore the environmental and social long-term benefits of the native vegetation that they want to clear. Hence the benefit of a project is generally never in the best interest of the public or the wildlife; it is generally in the interests of a company's shareholders. This practice must stop and proper economic, social and environmental evaluation should be conducted for every proposal.
- *Timeliness of assessments:* I disagree that time-lines should be quicker. These are not family shopping expeditions ("one-stop-shop"). These are proposals that will have long lasting and generally irreversible impacts on society and the environment and must not be rushed. In fact, I argue proposals should be considered at a slower rate.
- *Evidence-base for decisions:* This is absolutely critical. More transparency is needed. Decisions must be made according to a well-defined process that considers the best research, and the triple-bottom line economic analysis. Rational and detailed reasons must be mandatory for proposal decisions. A reason such as the Minister "considers this to be in the best interest of the general public" is simply not good enough and is unacceptable. Ministers should not be given sweeping discretionary powers and must be held to account.
- *Other*

What other opportunities are presented by improved information and access?

Quite simply, conserving our native vegetation and having a more beautiful, quiet and healthy place to live.

TOWARDS BETTER REGULATION

One of the reasons that industry wants to speed up the assessment process is because they do not want to follow the rules. They continually ask for exemptions and variations and then complain that the process takes too long. Policy and regulation can be made better and streamlined, but it cannot be at the expense of poorer environmental outcomes or to save a developer time when doing something they should not be doing anyway. I suggest it would be much simpler if it were a

requirement to follow the policies, regulations and laws in place. If someone wants to deviate from these then they must first go through a separate assessment process of why this should be done. It should be an onerous and time-consuming process as it will likely be at the expense of the environment or the public good.

Which of the following elements of better regulation would be most important to your sector?

- *Improved protection for native vegetation:* While all of these elements need to be considered, improved protection for native vegetation is the most vital element for every living thing on the planet, including us.
- *Ensuring development is sustainable*
- *Streamlined regulation for cost saving*
- *Clearer requirements for business certainty*
- *Improved assessment timeframes*
- *Transparent, evidence-based decisions*
- *Improved compliance and enforcement of unauthorised clearing*
- *Equitable treatment of all proponents*
- *Confidence in the regulatory system for all stakeholders*
- *Other*

What other opportunities are presented by better regulation?

I welcome the review and action to strengthen the EP Act 1986. This legislation, together with an improved Biodiversity Conservation Act 2016, needs to be an overarching piece of legislation, above all else, in order to put the protection of native vegetation and biodiversity as a top priority. Only then can we begin to ensure a healthy and prosperous future for all.

Much more resources are needed for management, monitoring, reporting, regulation and law enforcement. The State of the Environment Report needs to be reinstated. 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 what is involved in mitigation and adaptation to it.

Re: Regulation and Objectives

The issues paper states there are unclear objectives across regulatory pathways (page 19). Nothing could be farther from the truth. Clear environmental objectives are spelled out in both the EP Act 1986 and The Biodiversity Conservation Act 2016. If these objectives were followed, there would be no problem in preserving our native vegetation. Why not start with enforcing these objectives?

I highlight the key objectives below. They are CRYSTAL CLEAR:

The EP Act 1986 states that the object of this Act is to protect the environment of the State, having regard to the following principles:

(a) careful evaluation to avoid, where practicable, serious or irreversible damage to the environment; and (b) an assessment of the risk-weighted consequences of various options.

The present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.

Conservation of biological diversity and ecological integrity should be a fundamental consideration.

(1) Environmental factors should be included in the valuation of assets and services. (2) The polluter pays principle — those who generate pollution and waste should bear the cost of containment, avoidance or abatement.

The Biodiversity Conservation Act 2016 states:

(1) The objects of this Act are: (a) to conserve and protect biodiversity and biodiversity components in the State; and (b) to promote the ecologically sustainable use of biodiversity components in the State.

(2) In the pursuit of the objects of this Act, regard must be had to the principles of ecologically sustainable development:

(a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations; (b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation; (c) the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations; (d) the conservation of biodiversity and ecological integrity should be a fundamental consideration in decision-making; (e) improved valuation, pricing and incentive mechanisms should be promoted.

A BIOREGIONAL APPROACH

➤ Which of these approaches are the most important to you/your sector?

All of the elements stated must be included as part of a bioregional approach. Clear targets that are in the best interest of the public and the environment, not the vested interests, must be identified. Establishing a planned approach to deal with ALL cumulative impacts must be included, otherwise we will continue to see a decline in native vegetation and its associated species (except for a few generalists species). For example, I do not want to see a local extinction of the Carnaby's Cockatoos in my neighbourhood (the Western Suburbs). It does not have to be this way if there is careful planning.

So much of the foraging habitat of these birds is being cleared project by project and is one of the main reasons the Carnaby's Cockatoo's population is plummeting. Such clearing should cease immediately. A report submitted to the City of Gosnells to justify the clearing of black cockatoo habitat is typical of hundreds of proposals. This illogical statement from that report illustrates why cumulative effects must be taken into consideration:

“Whilst the habitat within the study area has been identified as suitable foraging, roosting and potential breeding habitat, clearing of this habitat would not be anticipated to be significant due to the extent of suitable habitat extending beyond the study area, the connectivity to suitable habitat within the Regional and National Parks, and due to the small amount proposed for clearing.”

(City of Gosnells Canning Mills Road Improvement Project Targeted Rare Flora and Black Cockatoo Surveys© Eco Logical Australia Pty Ltd)

- What other opportunities are presented by a bioregional approach?

The public and industry can learn the importance of biodiversity and how we cannot live without it. The consequences of continual clearing will contribute to an increase in weeds and feral animals, urban heat island effects, climate change and all the negative impacts associated with it: reduced rainfall, higher local temperatures, increase in frequency and intensity of bushfires, poorer air quality, etc.

World best management practices should be used. Currently conservation targets in Perth are set at 10% of the original ecosystem. This is far below what is needed. Where systems still exist, targets need to achieve at least 30% (and some argue 50%).

- What concerns are presented by a bioregional approach, for your sector?

The risk is that the importance of conserving the local and regional native vegetation will be ignored. (And it already is.) I do not want to live in a concrete jungle. I do not want Perth to become another cement mega-city. I want to live in a beautiful, green city surrounded by wildlife. We can conserve our green space if we plan and develop with this as a top priority. Currently we are failing. It is time to do develop better.

Similarly, local and regional rural places may be ignored and get destroyed. We can no longer put human profit ahead of other lifeforms. Detailed, long-term cost-benefit analyses must be conducted and considered in the assessment process. Short term profit should no longer be put ahead of the interests of the public and the environment.

OTHER INITIATIVES

What initiatives do you think would work best to improve native vegetation outcomes in your region?

- *Pricing, incentives and markets (e.g. biodiversity banking, offsets, carbon farming etc.)*
- *Aboriginal land management*
- *Pastoral diversification*
- *Nature-based or cultural tourism*
- *Private land management*
- *Other:* Although all of the above are good incentives which need to happen, our biodiversity will be lost unless urgent action to educate and regulate is taken now. We need a massive marketing and education campaign aimed at the general public and industry to highlight the need and urgency for biodiversity conservation. Concurrently we must improve and enforce new legislation. The continuing loss of biodiversity is proof enough.

What else could be done to improve the management of native vegetation to arrest the decline of native vegetation extent and condition?

Start by strengthening the EP Act and other Acts in favour of the environment and remove exemptions for native clearing except for true emergencies. Enforce the objectives of the EP Act and the Biodiversity Conservation Act over all other legislation (as discussed above).

Planning laws need to be reformed to put the environment as the top priority. In cities, developments must have more permeable and green space (at least 50%).

Enact and enforce the Bush Forever Program and enshrine it in legislation.

We need a state-wide tree protection policy for private land. Owners are also stewards and should be enhancing their properties, not degrading them.

Industry needs to pay more for environmental destruction and the privilege of extracting minerals and other resources (penalties and taxes!). Industry must follow regulations or conditions imposed; failing to do so should have huge consequences such as ceasing production and those responsible being criminally prosecuted.

DCBA needs to help provide the programs and leaders to aid local and regional conservation/restoration groups to achieve better outcomes.

Please stop using the terminology “One Stop Shop Approval and Assessments”. It is highly distressing. It insinuates proponents will get what they want, just faster. They can stop at the shop and buy their approvals. Proposals if implemented will have lasting impacts. Instead, time should be taken to carefully and objectively examine and reject them if needed.

Proposals should go through an assessment process, not an approval process, as the latter indicates that a proposal cannot be rejected.

Conclusion

The four initiatives to improve vegetation management are well thought out and welcome, but they will be useless unless legislation is strengthened and enforced. We have known for decades that our environmental laws are inadequate, yet little has been done to fix them.

We must restore the balance between conserving the environment and exploiting it. We can no longer conduct business as usual. We must protect, enhance and restore our remaining native vegetation.

Unfortunately, we are out of time. We cannot slowly shape and implement these four initiatives. The government must act now, swiftly and decisively, to enact better policies and laws.

Our future depends on it.

Thank you for considering my submission.

Yours sincerely,

Heidi Hardisty

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