

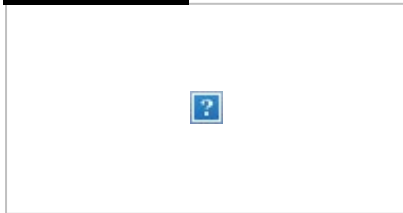
From: [REDACTED]
To: [Native Vegetation Strategy](#)
Subject: Native Vegetation Issues paper
Date: Monday, 10 February 2020 3:08:43 PM
Attachments: [REDACTED]

Dear Responsible Department of Water and Environmental Regulation Officer
Please register the heartfelt endorsement of Rae Dallas Kolb for those points raised by the Urban Bushland Council WA Inc in this opportunity for Public input into the Issues paper re Native Vegetation in Western Australia.

Extra general comment

- Laws as they now operate are not halting further degradation. Strengthen them.
- Further fragmentation of Bushland cannot continue. Stop it.
- Vegetated Country roads cannot be widened. New wider roads can **only be put through already cleared farmland and this must be mandated by super strong law. If there is not sufficient funding to make this happen then no road widening.**
- **Development of any sort only on already completely cleared land.**
- **Halt all old and regrowth logging. Logging only in Plantation Forests.**
- **Reinstate healthy Bush Linkages.**
- **Strengthen, Tighten, Audit and Monitor everywhere.**

Rae Kolb, [REDACTED]
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9 February 2020

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Native Vegetation Strategy
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Joondalup DC, WA, 6919

Native Vegetation in Western Australia: Issues paper for public consultation
November 2019

The Urban Bushland Council WA Inc. welcomes this Issues paper and is pleased to submit the following for your consideration. The opportunity to further discuss with you in person the issues in our submission will be appreciated.

Contact details: Urban Bushland Council WA Inc., PO Box 326 West Perth WA 6872.

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Introduction page 1

Our valuable vegetation

This is well described. The only significant value of native vegetation which is not included and needs to be added is the importance of native vegetation and its significant contribution to **human health and well-being**. We humans all need contact with and connection to nature, and we depend on its oxygen production every minute of every day.

The challenge page 2

This is well stated and described.

Both the above 2 pages show why urgent government action is needed to **both** stop the loss and degradation of native vegetation and to **actively prevent** loss, **repair** damage, **regenerate** where possible, and **restore** native vegetation as needed.

Major new State Government **funding** is essential to enhance governance to carry out these tasks. Funding is needed to employ government scientists and experts to carry out biodiversity surveys, taxonomy, monitoring, protection and on-ground management in our large state of WA. A very major investment in science by the State Government is needed. Improved legislation is needed.

Box 5: Tracking the extent and location of clearing (page 10)

It is strongly agreed and indeed urgent that WA's data systems be improved to show the extent and location of clearing, and whether it is approved or unauthorised. This data must be publicly available. The total extent of vegetation and the net loss of vegetation cover in each region should be periodically shown. Also the change in vegetation cover for the whole of WA needs to be monitored and reported annually as part of climate change policy and action. Carbon sequestration must be monitored.

Four initiatives for improving vegetation management

1. A STATE NATIVE VEGETATION POLICY (pages 11-14)

In Box 3 on page 4, the issues paper states: *'WA is a signatory to Australia's Native Vegetation Framework (COAG 2012). However, as WA does not have a single framework for native vegetation, the national goals have not been integrated into a single policy or approach.'*

As the *'Environmental Protection Act 1986 is the primary legislation'* that regulates assessments and approvals to clear and otherwise impact native vegetation, **it is essential that these national goals be included in a single framework and policy under the EP Act, and further that these legally and specifically apply to, and are superior to, all other State Acts.** This includes the 16 Acts listed on pages 13-14.

As stated on page 8: *'A State Native Vegetation policy will promote consistency and transparency in the objectives that apply to native vegetation and clearing across all government processes.'*

This is supported. Amendment to the EP Act should include provision for this policy to be mandatory.

As stated in Bush Forever Volume 1, page v: **Bush Forever** *'substantially meets the Government's commitments to the 1996 National Strategy for the Conservation of Australia's Biodiversity, signed by the heads of government in that it seeks to establish a representative system of protected areas'*. This representative system is referred to as the 'Comprehensive, Adequate and Representative' (CAR) reserve system.

It is recommended that a State Vegetation Policy includes this CAR commitment of the Bush Forever reserve system as protected areas.

Refer to Perth's Bush Forever Report Card, proceedings of a one-day conference 7 December 2012, published May 2013 by the Urban Bushland Council WA Inc.

Box 6: Proposed policy objectives (page 12)

a. This objective needs rewording. The word 'balance' is open to selective interpretation. Protection of the environment needs to be given much more focus. Its protection must be the primary consideration. Once the complex natural environment is cleared it cannot be restored, and cannot be offset.

b. Supported on the condition that the word strategic is removed. Conservation is the key here, so it must be the primary objective.

c. While this objective is supported, there are very significant knowledge gaps which need to be addressed: We do not know the extent and distribution of rare species and communities. Detailed survey and mapping is needed. More Government botanists are needed to do this field work and the associated taxonomy.

What opportunities are presented by the development of a State Native Vegetation policy focused on how the Government manages vegetation? (page 12)

Greatly strengthened protection, retention, and management of vegetation.

Increased knowledge of flora and vegetation in each region.

Opportunity to achieve **no further net loss**, and to achieve a **net increase** in native vegetation cover.

2. BETTER INFORMATION (pages 15-18)

Issues

This is well stated. We agree strongly that it is essential that there be data and mapping showing what is actually cleared each year in each IBRA region, as well as authorised clearing, exempt clearing, and unlawful clearing.

Expected benefits (page 15)

These benefits are supported. A consistent, robust, up-to-date single source of data is supported. It is **strongly recommended that generous additional State Government funding and expertise** for this be provided.

Possible approaches (page 15)

Supported. Land Monitor should be fully utilised.

Box 8: Towards statewide, regularly updated native vegetation information (page 16)

Well stated, and this is supported. The NDVI should be determined (eg using Land Monitor) to show the actual vegetation density cover as a measure of carbon sequestration over regular periods. Notably areas that are burnt, as well as contributing significantly to carbon emissions when burning, will have greatly reduced carbon sequestration function until regrowth occurs over a few years. Providing this information is essential for monitoring WA's carbon emissions and carbon sequestration.

Your thoughts (page 16)

How do you use native vegetation data in your sector?

To plan for conservation

To plan for restoration

For baseline information for monitoring

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

Evidence base for decisions

What other opportunities are presented by improved information and improved access to information?

Integration of all the site-based vegetation and flora surveys by all parties into more detailed vegetation maps thus greatly improving the knowledge base.

Community conservation groups including scientists need access to this vegetation data in making submissions and in understanding the extent of vegetation in various regions.

This much improved vegetation data is also obviously needed for planning and achieving conservation, restoration, and for monitoring so that a net increase in WA's vegetation cover can be achieved, along with securing no further losses of TEC's and habitats of endangered species.

Thus the following can be facilitated and achieved:

- Stop the vegetation losses in over-cleared regions of the Perth Peel region, South West biodiversity hotspot and Wheatbelt.
- Prosecute all unauthorised clearing.
- Monitor total vegetation cover and density in each region.

3. BETTER REGULATION (pages 19-22)

Issues (page 19)

Well explained, and we strongly agree that effective and enforced regulation across government is needed to achieve and ensure effective conservation. This must include legislative reforms in addition to improved clearing controls to ensure **conservation areas**

and native vegetation generally is protected, properly managed and funded. **Lack of adequate State Government funding for on ground management to control threats is a major issue which must be addressed.**

Bush Forever: CAR reserve system for Perth biodiversity hotspot

A major omission in the Issues paper is consideration and implementation of Bush Forever. This must be included. Currently the Bush Forever plan and program is not completely implemented and this is 10 years overdue. With greatly increased threats, it is now urgent for the State Government to provide resources to properly protect this network of unique reserves to prevent their further degradation and provide public benefit of nature in the city.

It is recommended that funding, that has not yet been provided, for the set of Bush Forever sites proposed to be transferred to the conservation estate and managed by DBCA, be provided as a matter of urgency. This funding for protection and conservation management should be made an explicit legal requirement under the CALM Act for protection and management of the 'CAR' reserve system of Bush Forever. Proper management of all Bush Forever sites and their public promotion will be a huge benefit to the people of Perth and visitors.

Local Government Biodiversity Strategies and Plans is part of Bush Forever

Further it is recommended that, as part of the Bush Forever plan, all Local Government Authorities (LGA's) in the Perth Region **be required** under the Planning Act and/or MRS Act to prepare and enact their Local Biodiversity Strategies and Plans according to the approved guidelines(by WALGA). While some LGA's have already done this, many have not completed the process.

To assist this process, **it is also recommended that WALGA** re-instate and fund the **Perth Biodiversity Project** with experienced staff to assist LGA's with scientific and technical advice in preparing and implementing robust, workable Local Biodiversity Strategies and Plans.

This will have major benefits in maintaining and restoring local biodiversity values including connectivity via linkages.

Further, it is recommended that all LGA's in WA prepare Local Biodiversity Strategies and Plans, especially, but not only, in the south west region and the Wheatbelt. This will have great benefit to conservation of species and of endangered iconic species such as the 3 species of Black Cockatoos for example.

Bush Forever Areas in MRS Act

The boundaries of all Bush Forever Areas are identified on the MRS map. **It is recommended that** an amendment be made to the MRS Act which defines the purpose of Bush Forever Areas:

'Bush Forever Areas shown on the MRS map are areas defined for the purpose of conservation of nature and passive recreation only, no other uses are permitted.'

Desired outcome (page 19)

Supported.

Expected benefits (page 19)

All points supported except '*Streamlined regulation for low-risk development*' The meanings of this are not clear. What is low risk development? Does it mean that such a category of proposals will be quickly approved without site information and investigation? Expected benefits must include effective conservation, protection and management funding for our wonderful, unique but priceless biodiversity in native vegetation of WA. See comments above for Bush Forever benefits.

Possible approaches (page 19)

Offsets for 'essential developments' is not supported if the proposal is in an ESA or TEC or is at variance to a clearing principle. In these cases clearing should not be permitted.

Your thoughts (page 20):

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

Improved protection for native vegetation.

?Improved compliance and enforcement 'of' unauthorised clearing. Please note that this wording is poor and actually implies that unauthorised clearing will be enforced! It must be changed:

Improved enforcement of, and compliance with the clearing regulations is supported.

Improved prosecution of unauthorised clearing is supported.

The words 'approvals process' should be removed and replaced by 'assessment process'.

The word 'streamline' can be unacceptable as it implies that an approval will be given quickly.

What other opportunities are presented by better regulation? (page 20)

We make the following recommendations and comments for the 7 items below.

1. All areas of TEC's and habitat of rare species be declared ESA's under the EP Act.

2. The over-cleared and unique *south west biodiversity hotspot*, and the *Wheatbelt regions* each be declared as ESA's, and also that, under new native vegetation policy under the EP Act, in general no further clearing will be permitted in these regions. This must be enforced under the Clearing Regulations. See also below under Box 11 and Box 13.

3. The EP Act and native vegetation clearing regulations be used to achieve an overall **environmental net gain**, further biodiversity conservation, **a net increase in vegetation cover in WA** with increased carbon sequestration, and greatly reduced greenhouse gas emissions.

4. Box 11 page 21: Threatened species and communities

This box describes Banksia, Tuart and Wheatbelt woodlands as nationally threatened and protected ecological communities. This is under the EPBC Act. But it does not say if or how these communities are actually protected federally. Currently they are not actually being protected federally or by the State, and areas are being lost by cumulative clearing patch by patch.

If the Clearing Principles were rigorously applied under the Clearing Regulations, then clearing of threatened species and communities would not be permitted. This needs to be addressed .

It is recommended that the Clearing Regulations be clarified and strengthened so that clearing proposals at variance to one or more of the Clearing Principles are not approved and not permitted. The wording at the start of the list of Clearing Principles should be changed to

'Native vegetation must not be cleared if

Better regulation is needed so that threatened species and communities are actively protected under State law and cumulative loss by clearing is prevented. Under the EP Act, **it is recommended that explicit provisions be introduced so that all federally and State listed TEC's and habitats of endangered species are legally protected to prevent their further loss of extent and condition.**

In addition, all TEC's and habitat of endangered species should all be listed under the EP Act as '**Environmentally Sensitive Areas**' (ESA's) which means that exemptions as described in **Box 13** do not apply.

5. Box 13: Managing unlawful clearing

Prosecution of unlawful clearing is essential. This should apply to LGA's and State agencies as well as private landholders. Unauthorised clearing of roadsides by LGA's is occurring in sensitive areas such as the Wheatbelt and this must be stopped. There were 67 cases of unauthorised clearing of roadsides recently but no prosecutions were carried out. The capacity of DWER to prosecute must be greatly increased with additional resources, surveillance and staff.

6. Exemptions should not apply to the over-cleared south west region (including Perth and Peel sub-regions) and the Wheatbelt region. All proposals for clearing in these regions should be assessed under the EP Act by one agency DWER. In general, no more clearing should be permitted in these regions. This must also apply to State Government infrastructure agencies including Main Roads, Water Corporation, Landcorp, Western Power, and the Department of Transport. The ‘**avoid**’ principle -under the EP Act should be enforced so that suitable alternative locations for infrastructure in areas already cleared are applied.

7. Wetland conservation

Wetlands are native vegetation ecosystems. It is estimated that WA wetlands contain more than 20%, or more than 3000 of WA’s 12,500 recorded native plant species. WA wetlands are highly diverse, with many nationally and internationally significant, and only 12 are designated as Ramsar sites, - for example Forrestdale Lake. Reduction in Government programs and coordination for wetland conservation during recent years must be reversed, and coordination across government improved as follows.

It is recommended that:

- **WA Wetlands that qualify for Ramsar listing be nominated to the Australian Government for listing by the Ramsar Bureau.**
- **The Wetlands of the Swan Coastal Plain Environmental Protection Policy (EPP) be re-introduced.**
- **The Ministerially-appointed Wetlands Coordination Committee be chaired by a suitably qualified non-government independent person with wetland knowledge and expertise.**
- **Regular meetings of the Wetlands Coordination Committee are resumed to allow the Committee to carry out its functions of coordinating all wetland conservation programs/activities, and that advice is regularly provided to the Minister on key matters. Further that a regular 5 yearly record or report card on wetlands be prepared and made publicly available.**
- **The South West Wetlands Monitoring Program be re-established.**
- **State wetland buffer guidelines be established and prescribed in regulations and are made legally binding.**

4. A BIOREGIONAL APPROACH (23 – 26)

A bioregional approach is supported. Most of our comments provided under other items concern the south west region and the Wheatbelt. In these at risk and over-cleared regions, there needs to be an approach of protection to achieve **no more loss of native vegetation extent and condition**, and to actively increase its restoration and to revegetate with local species. This means no more clearing and no exemptions in these regions. Protection needs to include the legal improvements under the EP Act and other Acts as detailed.

Notably the infrastructure agencies including Main Roads, Water Corporation, Landcorp, Western Power and Department of Transport all need to be required by the State Government to respect the need to **avoid** encroaching into native vegetation in these regions. This must be enforced by DWER, EPA and the Government. This is not the current situation and requires urgent enforcement.

Further **it is recommended that ‘purpose permits’ for land clearing** all be withdrawn and this category be removed from the regulatory process.

In all bioregions, the protection of the natural environment and biodiversity must be the over-riding consideration and be the primary factor in decision-making under the EP Act. In other regions the Clearing Principles and the principle of avoidance must be strictly enforced.

More **Environmental Protection Policies** under the EP Act should be introduced: eg for wetlands of the Swan Coastal Plain, for the Banksia Woodlands of the Swan Coastal Plain

TEC, for the Tuart Forests and Woodland of the Swan Coastal Plain, and for protection of an endangered species in a particular region.

OTHER INITIATIVES (pages 27-30)

Box 16: Aboriginal land management

Supported. Need to invest much more in this.

The Aboriginal Ranger program is strongly supported and it should be extended.

Box 17: The value of nature-based tourism for regional economies

This provides a strong case to STOP roadside clearing, and to actively protect, and enhance roadsides. The cathedral road effect with local native trees is very appealing to visitors and all road users.

Box 18: Environmental offsets fund restoration grants?

Not supported. The offsets process has been used as a justification to approve clearing in areas that should not be approved. For example in the south west and Wheatbelt which are already over cleared areas. Any further clearing in these areas is a net loss of native vegetation ecosystems. Revegetation needs to occur in these areas with the help of grants to landholders to encourage carbon farming and landcare with native tree and shrub planting as in past decades.

Mining companies should be more highly taxed and required to provide extensive revegetation.

Box 19: The power of private land managers in managing native vegetation

Initiatives in this box need greatly increased State Government investment. Programs such as Land for Wildlife, Urban Landcare, Urban Nature (in DBCA), State NRM all need to be restored and greatly increased with funding by the State Government to foster and support revegetation with local species - and the supply of these local species, - as well as weed control. Gondwanalink provides an excellent role model for rural areas. The WESROC Greening Plan which was not formally implemented should be implemented.

Box 20: Plan for Our Parks (page 30)

It is remarkable omission that the **Bush Forever plan** is not mentioned in this box and is not included in Plan for Our Parks. It must be included. See details above of Bush Forever and recommendations for its inclusion and changes.

Box 21: Economic diversification to support Rangelands condition

Less cattle and increased carbon farming is strongly supported for the Rangelands, as this has the potential to greatly increase carbon sequestration, - which is essential for addressing climate change. Funding and support for control of feral animals such as foxes, goats, camels, cats, dogs, is also essential to increase carbon sequestration and to enhance restoration of native vegetation of the Rangelands.

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