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Native Vegetation Enquiry
Productivity Commission
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Dear Sir / Madam

**Submission: Impacts of Native Vegetation and Biodiversity Regulations
Productivity Commission Issues Paper, May 2003**

The Wildflower Society of Western Australia (Inc.) welcomes the opportunity to provide comment to the Productivity Commission on the *Impacts of Native Vegetation and Biodiversity Regulations Issues Paper*.

The Society is one of the largest conservation organisations in Western Australia with over 1000 members. It was established in 1958 and has 13 branches and 12 affiliated organisations statewide. The Society is involved in the study of wildflowers, and the promotion of their cultivation and conservation, including support for their legislative protection. As part of its activities the Society is involved in numerous initiatives such as botanical surveys, wildflower-focussed excursions and public events, as well as revegetation, conservation and educational projects. During the last eight years the Society has surveyed remnant bush on many farming properties distributed throughout the state of Western Australia. This initiative is funded through the National Heritage Trust (NHT) "Bushland Plant Survey Program". This initiative aims to educate and promote local interest in bushland reserves and on private property through local volunteers. The farmers using this program wish to retain and manage their remnant bush as part of their agricultural operations.

Although the Commission has not been asked to assess the benefits of native vegetation and/or biodiversity conservation (p.5), we highlight to the Commission that much of the existing and proposed legislation to regulate the removal of native vegetation and/or the management of biodiversity is in direct response to severe environmental degradation, associated economic and social impacts and current unsustainable practices. The effects of land-clearing have far-reaching impacts on all aspects of sustainability – environmental, economic, and social/cultural. The complexity of native vegetation clearing as a sustainability issue is highlighted by the protracted implementation of policy changes, and the considerable conflict in the community, business, agricultural and mining sectors that have occurred as a result. The following comments are organised under the headings outlined in the *Issues Paper*.

2 Issues

2.1 Impacts on landholders and regional communities

Negative impacts on landholders

Historically, government policy and legislation has ignored glaring evidence of the devastating consequences of land clearing, being driven by economic and social interests. This sentiment is still echoed by some farmers today as discussions continue about the proposed State *Environmental Protection Amendment Bill 2002* currently before State Parliament. The *Countryman* newspaper (17/04/2003) gives an indication of *some* landholder attitudes:

'Government needed to address the issue of property rights and compensation in cases where farmers' productivity was restricted in the name of public good. Many farmers in the Esperance-Ravensthorpe zone need to clear land to make their farm viable.'

The WSWA does not support compensation to landholders that are prevented from clearing remnant bushland. The Society strongly believes that farmers wanting to clear native vegetation for business viability must look for alternatives, and further clearing is unacceptable. Although the NHT National Landcare Program has increased sustainable management farming practices, it has had limited effect on biodiversity or native vegetation conservation, as a farmer's decision to adopt new practices are commonly based on the effect it will have on farm profitability (Hamblin, 2001, p.35 & 87). There is a need to reintegrate the landscape for both agriculture and conservation. There is a need to move away from the short-term economic focus on agricultural business to one that looks for agricultural opportunities/diversification, provides for community needs and the preservation and restoration of biodiversity. This task must be the responsibility of both city and rural dwellers.

The majority of the land left uncleared in the WA agricultural area was because of poor soil structure & nutrient content, or susceptibility to erosion etc. As agricultural technology has increased previously unproductive soils have been opened up for agriculture, despite being only marginally productive. Many of the native remnants are unsuitable for agricultural development. The associated adverse environmental and indirect economic and social impacts of previous land clearing have been, and continue to be devastating and unsustainable.

In urban areas attitudes towards native vegetation and biodiversity have ultimately not changed with both policy and demand supporting suburbanisation. Landholders of proposed *Bush Forever* (2000) sites along the Swan coastal Plain are also pressuring the Government for compensation, but the \$10 million allocated by the State Government over the next 10 years is insufficient to buy the proposed sites (770 sites, market value of \$475 million) (Bushland Protection Strategy 2003). In many instances speculative investors purchased rural zoned land in the hope that they can clear and subdivide the land in the future to make windfall gains. The Society does not believe government should be responsible for speculative metropolitan land investments that will not return what was hoped.

Positive impacts on landholders

Landcare and LCDCs have increased sustainable management farming practices but have had a limited effect on biodiversity or native vegetation conservation. The *Environmental Protection Act 1986*, *Soil and Land Conservation Act 1945* have not sufficiently addressed ongoing large-scale land clearing in Western Australia. In 1995 a *Memorandum of Understanding* was implemented between State Government agencies. It aimed to protect remnant vegetation on private rural-zoned land in the agricultural region of WA, and discourage clearing in landscapes where 20% of the original vegetation is known. The MOU was found to be unworkable and the State's *Environmental Protection Amendment Bill 2002* aims to address these deficiencies. This legislation provides some protection to those landholders that choose to manage their farms in a sustainable way by incorporating both agricultural and conservation areas. Legislation provides some protection for catchment management, where clearing on one property can impact on other areas within the catchment (e.g. salinity, erosion), or contribute to environmental degradation outside of the catchment (saline waterways, flooding).

Government measures to mitigate negative impacts

The \$640 million allocated to rehabilitate and restore vast areas of degraded rural land nationally is estimated by non-government sources to be only 10% of what is needed (Hamblin, 2001, p.130). The remaining small isolated remnants are not sustainable, being driven mainly by the ecological processes generated by the surrounding agricultural matrix (Saunders, 1993, p.7). Modelled estimates of the revegetation needed in those river basins that have <25% perennial vegetation is for 30-50% of cleared land to be revegetated. Only a handful of the subcatchments in southwest WA are achieving this (Hamblin, 2001, p.131).

Impacts on non-landholders and regional communities

If present arrangements continue, repercussions to regional and metropolitan communities will be further exacerbated. The following points highlight present challenges.

- Native vegetation loss is the major cause of salinisation of inland waterways in WA (State of the Environment Reference Group, 1998), and dryland salinity. Currently 10% (2 million ha) of WA's agricultural landscape is affected and recent estimates predict 25-35% (6.1 million ha) could become salt affected by 2030 (S&LCC and WA WRC, 1995). The economic costs from the impacts of land clearing are significant. An estimated \$2 billion is required over the next 30 years to implement a Salinity Management Strategy in the agricultural wheatbelt of WA (S&LCC and WA WRC, 1995, p.13). Lost agricultural production in WA attributable to salinity now exceeds \$130 million annually and potentially could rise to nearly \$1 billion/annum. In some areas salinity is reducing the life of roads by 75% and affecting rail lines and buildings from rising damp in at least 30 WA towns. Infrastructure costs such as these are estimated to cost the community around \$100 million/year (Gallop, 2002 p.2). The State Government faces either heavily subsidising a town or the ramifications of closing it down.

- Three separate flooding incidents in Moora in 1999 were attributed to the increased run-off from water-logged land as a result of land clearing. Damage to infrastructure, businesses and private property caused social and financial hardship in the town. Increased river flows in rural areas were also linked to the toxic algal bloom in Perth's Swan River from the water-logged Swan-Avon catchment (Gallop, 2002, p.3). The river, used heavily by Perth residents for recreational and commercial purposes was temporarily closed.

2.2 Efficiency and effectiveness of environmental regimes

The profound ramifications of extensive native vegetation clearing in WA illustrate that historically, biodiversity conservation measures in this State have been under-emphasised, largely ineffectual, and in some cases misguided (Verstegen (2002, p.3).

Environmental benefits that the State regulatory regimes under review seek to promote:

1. Environmental Protection Amendment Bill 2002 seeks to decrease the clearing of native vegetation, provide opportunity for public comment, and greatly increase penalties for illegal clearing (J.Edwards, media statement 26/06/02). Concurrent changes include increased staffing, resources, and the establishment/maintenance of an accurate database.
2. Draft *Biodiversity Conservation Act* promotes the protection of biodiversity (genetic, species & ecosystem levels), threatened species and ecological communities, and the introduction of special protective measures for biota that are not yet threatened. Native vegetation loss is the biggest threat to biodiversity conservation in WA (State of the Environment Advisory Council, 1996). The agricultural wheatbelt of WA is part of the richest non-tropical botanical provinces in the world, yet 93% has been cleared, resulting in a huge loss in habitat and biodiversity (Gallop, 2002, p.2).
3. The following document may be of interest to the Commission: EPA (2000) *Environmental Protection of Native Vegetation in Western Australia – clearing of native vegetation, with particular reference to the agricultural area. Position Statement No. 2*. Environmental Protection Authority. December 2000.

Perverse environmental outcomes

Illegal land clearing has long been a problem in agricultural/rural WA (A.Watson pers.com.). The backlog of land-clearing complaints in breach of *Soil & Land Conservation Regulations 1992* at the Soil & Land Council have increased in recent years as permits became more difficult to obtain and rumours of tighter legislation fuelled illegal clearing. A lack of staff, resources and weak legislation to prosecute offenders has meant many offenders remain unprosecuted and land remains cleared. The current MOU process for land clearing applications is not transparent and public comment is limited to those proposals referred for formal assessment through the EIA process. The Environmental Protection Amendment Bill 2002 seeks to address these issues.

In metropolitan Perth, pre-emptive clearing occurred when *Bush Forever* (2000) (formerly *Perth's Bushplan, 1998*) was released and documented proposed "Bush Forever" sites earmarked for bushland conservation on the Swan Coastal Plain. Inadequate penalties do not discourage illegal clearing.

There is some rural landholder 'resentment' of uncontrolled clearing by urban landholders. Perth is losing high biodiversity vegetation areas in the Swan region through the Metropolitan Regional Scheme. These areas are being cleared without formal assessment. The Society believes that regulations should apply equitably in both country and city areas. This inconsistency was one impetus for the Society writing a paper "Towards a Moratorium on Land Clearing" (Save Our Bushland Paper No. 1) November 1996.

Cost-effectiveness

The economic costs of indirect impacts from remnant clearing (rising water tables, salinity) are well documented. However, the environmental costs associated with the management of remnants are not well documented and are difficult to estimate because biodiversity valuation does not have an agreed methodology (Hamblin, 2001). An example of pro-active management is the installation and maintenance of a pumping station at wetlands in the Shire of Esperance. Economic analysis of remnant vegetation management and rehabilitation should be carried out. This is essential to a realistic commitment by government to remnant conservation.

Our first priority must be to protect and rehabilitate our existing native vegetation to prevent problems or degradation before they occur. Protecting remnant vegetation provides multiple productivity, biodiversity and greenhouse returns. The Society believes the economic costs associated with the management of existing remnants are well below those associated with rehabilitation. Although revegetation is an important means of rehabilitating the landscape where there is no remaining native vegetation, it cannot replicate the full range of functions of native vegetation. Alcoa's bauxite mines along the Darling Scarp have been unable to achieve 100% biodiversity (currently ~80%) despite decades of rehabilitation experience and research. Furthermore, even the increasing rate of revegetating stimulated by the NHT is falling far short of offsetting the current large areas of native vegetation lost to clearing (Min. Env. Heritage, 2001), and is costing the Federal and State governments millions of dollars annually.

3.6 Options to reduce adverse impacts of environmental regimes

We refer the Commission to a paper written by the Society in February 1999 "Bushland Conservation and Rural Land Clearing in Western Australia: The need for Further Reform" (Save Our Bushland Discussion Paper No. 2). The Society does not support landholder compensation as a result of legislative and regulatory regimes on native vegetation clearance and/or biodiversity conservation. We do support recognition and incentives for agricultural businesses being environmentally responsible

The *Final Report of the Native Vegetation Working Group* (2000) is directly relevant to this section of the Commission's *Issues Paper*. It was set up by the Minister for Agriculture under the State Liberal Government and met with conservationists, farmers, real estate people and bureaucrats in 1999 and 2000.

Guiding Principles

- Recognises there is no longer a well-defined legal right to clear;

- Accepts there is no right to compensation where landholders are prevented from causing downstream harm;
- Recognises the severity of the landscape crisis we are in;
- Rewards farmers for behaving responsibly;
- Government must show leadership on its own land;
- Provide assistance where viability lacking;
- Farmers own and manage bushland as an integral part of sustainable farming;
- Land unsuitable for farming not considered for any equity assistance;
- Community able to clearly identify what its rights are, what government requirements are, and not to be involved in the development and application of assistance;
- Not expecting the current generation of landholders to pay for past mistakes;
- And applying assistance measures in an integrated manner.

The Working Group recognised the complexities involved and suggested four interrelated areas of action, to provide choice to landholders and flexibility for different areas and circumstances. The overall approach involves:

1. **Gaining greater acceptance by landholders** that having areas of well-managed bush on their property is an integral part of operating a productive and sustainable farm.
2. **Removing disincentives and adding incentives** that affect the landholder's ability and willingness to own and manage large areas of bush.
3. **Utilising market-based approaches to the fullest possible extent** before programs are introduced that interfere with the free market.
4. **Acting to resolve difficult cases** where other methods fail, providing both compassionate and active intervention to address the needs of the families affected and the landscape at large.

The group came up with 15 recommendations.

Should you have any queries on this submission please contact our Conservation Secretary on (08) 9439 1363 or email 28835391@student.murdoch.edu.au

Yours sincerely,

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