

GINGIN SHIRE

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Native Vegetation Inquiry  
Productivity Commission  
LB2, Collins Street East  
MELBOURNE VIC 8003

Dear Sir/Madam

**RE: INQUIRY INTO THE IMPACTS OF NATIVE VEGETATION AND  
BIODIVERSITY REGULATIONS.**

On 5 May 2003, the Shire of Gingin received notification from the Parliamentary Secretary to the Treasurer of a referral, under the provisions of the Productivity Commission Act, 1998 (as amended) of his requirement for the Commission to inquire into the impacts of Native Vegetation and Biodiversity Regulations.

The Shire of Gingin is pleased to have been provided with the opportunity to prepare a submission in respect to the Inquiry, for which comments in relation to the "Scope of Inquiry" follow.

Under the provisions of the Western Australian State Sustainability Strategy, the Western Australian State Government has identified significant issues for the State's agricultural sector as follows:

*"The declining terms of trade for farmers, significant environmental impacts of agriculture and diminishing rural populations all indicate that there are very real and significant challenges to achieving sustainable agriculture in Western Australia, as there are in many parts of the world. Shifting agriculture to a more sustainable basis will require continued innovation to develop new industries which do not impact on the environment and new policy settings that recognise and reward sustainable agriculture production"*

The State Sustainability Strategy recognises the importance of contributing to global sustainability and, in this regard, provides specific focus on Western Australia's unique biodiversity. The Strategy references that *"Western Australia's biodiversity is recognised as highly significant globally, and its conservation is a prerequisite for sustainability. In addition, biodiversity offers the potential for new forms of sustainable industries, such a bio-prospecting and nature-based tourism. The challenge for Western Australia is to better understand the biodiversity that we have and to ensure that it is protected for future generations."*

The Shire of Gingin has, in its Local Planning Strategy, identified the importance of sustainability, not only in respect to the environment and the protection of its biodiversity, but also from an economic and social perspective.

Unfortunately, an increasing focus on the environmental attributes of the Shire by State agencies is proving detrimental in terms of progressing the creation of sustainable communities within the Shire.

In respect to the environment, Council has identified the following key issues in its Local Planning Strategy:

- Encouragement of land use and management which are environmentally and ecologically sustainable;
- Protection of water quality is recognised as a key issue in terms of sustainability for agriculture, environment and ecology;
- Protection of natural resources, including soil, waterways and wetlands, significant vegetation including old growth trees and threatened flora and fauna;
- Recognition of the importance of Gingin Brook, Moore River and their respective tributaries; and
- Management of diverse and dynamic rural landscapes, and maintenance of visual qualities of areas surrounding townsites and areas adjacent to major tourist routes.

In noting these environmental issues, Council has also identified the economic importance of agricultural land within the Shire and has identified the following key issues in this regard:

- The protection of quality agricultural land is important to cater for the long-term sustainability of agricultural land use as an important economic and employment base for the locality within its regional context.
- To ensure the rural economic activity remains responsive and versatile, it is important to promote expansion and diversification of the rural economy (e.g. farm forestry, viticulture, agricultural diversity, aquaculture, intensive rural industries, etc.).
- Industry within the Shire is traditionally based on the fishing industry and rural industry, with service industry being a marginal growing sector in and around the settlements. Such economic activity should continue to be encouraged, and additional provision be made for general and service industrial developments in proximity to urban areas.
- There is a recognised need to increase local resident employment opportunities and reduce incoming and outgoing commuting employee ratios.

- Tourism is a growing industry which is strongly based on the coastal environment and rural landscape qualities. The natural resources supporting tourism should continue to be protected, and the quality of the tourism product improved and diversified.
- Increasing the profile of the Shire as a tourist destination will require, inter alia, the improvement of goods, services, leisure facilities and accommodation for tourists.
- The unique natural attributes of the Shire, including the coastal environment, river environs and diverse and dynamic rural landscapes, are economic assets worthy of management.

The Shire of Gingin is experiencing difficulties with the impact clearing constraints are having on agricultural investment. A number of properties are subject to clearing restrictions, thus limiting the landowner's ability to put their traditional broad-acre agricultural land to an economic purpose. As a consequence, the farmers look for alternative options and, in this regard, endeavour to have the Department of Conservation and Land Management acquire the land for conservation purposes. This has resulted in a number of recent subdivision applications being lodged to establish stand-alone conservation lots under the care, control and management of State agencies.

Council, whilst sympathetic to the excision of conservation areas from traditional broad-acre agricultural lots if such conservation areas are to be amalgamated into existing conservation reserves or national parks, is reluctant to support ad-hoc subdivision of rural land for conservation purposes merely on the basis that current clearing restrictions limit agricultural land use opportunities.

The Shire of Gingin has embraced agricultural intensification by virtue of facilitating intensive broiler farms, piggeries, an egg laying facility, market gardening and similar primary production pursuits. Such intensive land uses generally rely on much smaller land areas for development, albeit certain of them do require substantial on-site buffers. As a result, many intensive land uses are considered suitable within the Shire of Gingin, as they can be located on existing heavily vegetated properties with a minimal requirement for clearing.

With this said, however, there appears to be increasing difficulty for proponents of intensive agricultural developments to secure State agency support, particularly through the Department of Environment.

The Shire of Gingin Development Strategy references Agriculture Western Australia's Sustainable Rural Development Program, which identifies that the Shire of Gingin provides 100% of the Northern Agricultural Region's poultry production, 99% of the Northern Agricultural Region's fruit production, 96% of the Northern Agricultural Region's grape production and 95% of the Northern Agricultural Region's vegetable production.

Agriculture Western Australia has identified that the Shire's total gross value of agricultural production has increased from \$8.7 million in 1982/83 to \$55.6 million in 1997/98, and that intensive animal production now returns \$35,342.00 per hectare compared to \$95.00 per hectare for animal products derived from pasture.

It has been estimated that 61% of the Shire's gross value of agricultural production is generated from horticulture, yet utilises only 1.02% of the total rural land area in the Shire.

Clearly, the Shire of Gingin's rural value of agricultural production is increasing strongly, due largely to intensification of land use, and this level of growth is expected to be maintained. The Department of Agriculture has determined that the following gross values of horticultural production were generated from specific horticultural industries:

- Vegetables \$23.04 million
- Nurseries \$4.84 million
- Fruit \$3.36 million
- Grapes \$1.76 million

Vegetable production contributed 69.5% of the total horticultural enterprise output in the 1997/98 financial year, and the value of horticultural production for vegetables has increased from less than \$1 million in 1982/83 to in excess of \$23 million in 1997/98.

Quite clearly, on the basis of the abovementioned statistics, the changing face of primary production in the Shire, from traditional broad acre agriculture to intensive agricultural pursuits, is significant. This intensification, if the trend continues, will result in fewer applications for the clearing of significant tracks of vegetation within the Shire, but will, none the less, require some clearing of native vegetation if continued investment in the agricultural sector is to materialise.

The intensification of land use referenced above, particularly where secondary production has resulted, has provided social dividends by virtue of employment creation and community growth. Such growth has stimulated demand for improved infrastructure provision, resulting in a number of unique joint venture partnerships being established between Council and various State Government agencies to ensure a sustainable future for not only the Shire of Gingin, but the Central Coast and Avon Arc Regions, and the State generally.

A significant focus on environmental protection within the Shire has resulted in increasing Government investment in acquiring land for conservation purposes, when, in fact, such investment may result in more sustainable outcomes if invested in community capacity building.

In 1997, it was estimated that 36% of the Shire of Gingin was either National Park, State Forest or Crown Reserve, with that figure now estimated at 38%. If this trend continues, economic and social investment opportunities within the Shire will be stymied, and opportunities for accommodating the projected State population growth will be curtailed.

The Shire of Gingin recognises that its strategic location, in the context of Western Australia, provides it with diverse opportunities, particularly given:

- That the Shire's southern boundary adjoins the Perth metropolitan region, resulting in pressure for urban expansion within the coastal areas of the Shire;
- The rural hinterland, and its links to the central wheatbelt region;
- The transport and infrastructure corridors traversing the Shire, linking Perth to the central coast and north-west of the State with road, rail and gas pipelines; and
- The proximity to Perth and a diverse rural area and coastline providing a popular tourist and holiday destination.

Most importantly, however, the Shire of Gingin recognises the important function the district serves as a rural hinterland to the Perth metropolitan region, particularly as a land resource for rural industries (both primary and secondary), regional development, basic raw materials and groundwater resources.

The Australian Bureau of Statistics has estimated the Shire of Gingin population growth rate as above average for almost two decades, with the 1991-97 annual growth rate at 2.98% compared with the State average of 1.59%. Further, when compared to the other 43 Shires in the Wheatbelt region, the Shire of Gingin's growth rate is one of the highest in the region, with an annual average growth rate of 3.8% from 1997 to 2002.

With such growth rate being more than double the State average over an extended period, the importance of obtaining a real balance between the economic, social and environmental sustainability factors become more paramount.

With respect to the Environment Protection and Biodiversity Conservation Act, 1999 (as amended) and, more particularly, its focus on the ongoing transition to more sustainable management of Australia's native vegetation and biodiversity, it is fair to say that, in the main, there is little community understanding of legislative and regulatory biodiversity regimes amongst stakeholders, other than those with a strong environmental focus.

From a Shire of Gingin perspective, it is evident that the broader community is frustrated by the focus on environmental sustainability at the expense of social and economic sustainability. It is also fair to say that the majority of the Gingin community seemingly have regard for the uniqueness of the local environment, and are passionate about its long-term protection, but not in isolation.

Unfortunately, from an environmental perspective, it would appear that a vocal minority are seemingly dictating the terms at a Government level as to what is best in respect to long term sustainability. Whilst their specific environmental views are acknowledged and accepted, in the absence of a nil or negative population growth, development will continue to occur as will the demand on basic raw materials and the three fundamentals of food, fibre and water.

On the basis of this, it is important that all environmental-based statutes have regard for community growth. The Shire of Gingin believes that investment in social capital should not be thwarted by virtue of concerns relating to potential environmental impacts, but rather, should be managed so that the two can co-exist.

Whilst this philosophy may sound simplistic in its terms, with the current knowledge base, there should be ample opportunity for succinct parameters to be established which enable a sustainable mix between economic, social and environmental objectives.

The regulation of native vegetation clearance and/or biodiversity conservation has certainly created confusion at both a Local Government, and private sector, level within the Shire of Gingin. A number of examples whereby private sector development and/or investment proposals have been detrimentally affected by virtue of environmental constraints could be cited.

It is fair to say that the existing Government measures have, no doubt, helped maintain certain of the State's biodiversity, but in a manner which has not been embraced by the broader community. It is considered incumbent upon Government, if it wishes to ensure native vegetation and biodiversity protection into the future, that it do so in a more consultative manner with the community so that there is an understanding at a broader community level of the necessity for such legislation. The current environmental management ethos is very much "top-down", which is perceived by the majority as a draconian bureaucratic process introduced without reason or justification. It is the reasoning and justification which needs to be more clearly enunciated if the community is to embrace the concept of, and need for, sustainable management of native vegetation and biodiversity.

In summary, it is the view of the Shire of Gingin that existing Government measures, whilst potentially mitigating negative environmental consequences, are, in fact, exacerbating negative community consequences. It is incumbent on all levels of Government to ensure that the sustainable management of native vegetation and biodiversity is done in partnership with the community, having regard for the respective rights of freehold property owners.

On the basis of the Shire of Gingin Local Planning Strategy, Council has prepared a new draft Town Planning Scheme No. 9 which has a number of identified aims, as follows:

- *"Promote the planned expansion of all townsites, and encourage the consolidation and expansion of services and facilities within townsites.*
- *Encourage population growth to take place in townsites, particularly where reticulated infrastructure is available or planned, to maximise infrastructure utility and investment and create focused demand for infrastructure improvement.*
- *Improve and expand infrastructure in all towns to lessen environmental degradation.*
- *Encourage sewered residential development in all townsites where economically feasible.*

- *Recognise the unique servicing, management, land use and socio-economic issues associated with rural residential settlement.*
- *Protect the rural land resource by promoting a strong presumption against unplanned fragmentation of rural land.*
- *Recognise the existing pattern of rural small holdings in proximity to the Moore River and Gingin Brook.*
- *To facilitate more intensive and diversified use of rural land for higher value products, including horticulture, intensive animal husbandry and farm forestry, which are compatible with surrounding farming practices.*
- *To ensure that the use and development of rural land is both compatible and complementary to traditional livestock, grazing and agricultural activities.*
- *To support subdivision of rural land which is consistent with the preferred settlement strategy and which facilitates the ongoing productive rural use of the land.*
- *To ensure that agricultural and urban land uses can be co-located efficiently with minimal conflict.*
- *To promote processing and value adding industries to be located within the Shire.*
- *To recognise the importance of the existing fishing industries within the coastal townsites, particularly in the context of potentially competing pressures of urban growth and tourism.*
- *To facilitate increased demand and diversification of local service industries.*
- *To promote Gingin Shire as an opportune location for regional development of industry, infrastructure and other specialised regional facilities.*
- *To enhance and protect Gingin's unique physical environment as an asset for sustainable and dynamic tourism opportunities*
- *To promote sustainable management and land use to ensure the quality of groundwater and surface water bodies within the scheme area.*  
  
*To protect the natural environment and biodiversity while ensuring appropriate development opportunities within the scheme area are realised.*
- *To minimise land degradation and vegetation loss through integration of landcare principles within the planning process."*

Quite clearly, the aims embrace an environmental ethos, and make reference to the protection of the natural environment and biodiversity within the Shire.

With this said, however, the aims of the Scheme are also to ensure appropriate development opportunities can be realised, where possible, by ensuring there is a balanced analysis of the economic, social and environmental costs and benefits associated with any particular proposal.

The Gingin Shire Council is becoming increasingly frustrated at the lack of opportunity to make appropriate decisions in the interests of its own community. The draft Local Planning Strategy and draft Town Planning Scheme No. 9 have been developed in response to increasing community concerns about the lack of opportunity being provided in the creation of a sustainable future for the District. The draft Scheme No. 9 suggests a reduction in zones from the current twelve to five, together with increased discretion in the Use Class Table, in order to provide Council with the opportunity to approve development proposals which will enable the community to prosper into the future.

The amount of energy expended by Councillors and staff in progressing initiatives such as the Local Planning Strategy and Town Planning Scheme No. 9 is considerable, yet the best of intentions of elected members can be thwarted at either a State or Federal level depending on, amongst other things, prevailing sustainability policies.

With the plethora of legislation, strategies and policies prevailing throughout Australia in respect to sustainability and biodiversity protection, the ability of the various sectors of Government to send a clear message as to the intent of sustainable natural resource management is proving difficult, and confusing.

It is important that the Inquiry by the Productivity Commission into the impacts of Native Vegetation and Biodiversity Regulations produces an outcome which will ensure a sustainable future for all sectors of Australian society, having regard for environmental factors but not necessarily being stymied by those factors. If this necessitates a review of the Environment Protection and Biodiversity Conservation Act, 1999 (as amended), and/or other allied legislation so that the constraints pertaining to the use and development of freehold land are reduced, then the Inquiry will have been of significant benefit.

I trust this submission assists the Commission in its Inquiry.

Once again, thank you for providing the Shire of Gingin with the opportunity to comment on such an important issue.

Yours faithfully

S D FRASER  
**CHIEF EXECUTIVE OFFICER**

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