



30<sup>th</sup> January 2004

Enquiries: (08) 9424 2222  
Direct Line: (08) 9424 2208  
Our Ref: EMRC-10166  
Your Ref:

Native Vegetation Inquiry  
Productivity Commission  
LB2 Collins St East  
Melbourne VIC 8003

Dear Sir

**RE: IMPACTS OF NATIVE VEGETATION AND BIODIVERSITY REGULATIONS**

The Eastern Metropolitan Regional Council (EMRC) was established in 1983 and is constituted as a Regional Local Government in accordance with the Western Australian Local Government Act 1995. The EMRC provides services to the Cities of Swan, Belmont, Bayswater, the Town of Bassendean and the Shires of Mundaring and Kalamunda. The combined area is approximately one third of the Perth Metropolitan Area and 20% of Perth's population. Services provided through the EMRC include Environmental Services, Waste Management, Risk Management and Regional Development.

The EMRC Environmental Service incorporates the following projects and services that are relevant to the Productivity Commission's current enquiry:

- Eastern Hills Catchment Management Project, a priority project in the Swan Natural Resource Management (NRM) Region;
- Active involvement in the Perth Biodiversity Project (PBP), which is coordinated by the Western Australian Local Government Association (WALGA);
- Regional Environmental Strategy for the Eastern Metropolitan Region;
- The development of strategies, projects and initiatives related to vegetation protection and biodiversity conservation;
- State of the Environment reporting and environmental data management systems;
- Training in biodiversity conservation and bushland management; and
- Advice to Member Councils on environmental issues as well as specific planning and development applications.

The Productivity Commission's Draft Report on the above topic raises a number of significant issues relevant to local governments and to the Eastern Metropolitan Region.

Australia's environment, the values and services it provides, underpins all aspects of our economic, social and cultural well-being. In recent decades, decision-makers and regulators have increasingly recognised that decisions about land use and land management need to take into account the long-term costs and benefits, as well as the short-term. This is particularly evident in the Western Australian Wheatbelt.

The Eastern Metropolitan Regional Council, by partnering with member Councils facilitates strategies and actions which provide services for the benefit and sustainability of the region.

1<sup>st</sup> Floor, Ascot Place  
226 Great Eastern Hwy  
Belmont WA 6104  
PO Box 234  
Belmont WA 6984  
Telephone: 9424 2222  
Facsimile: 9277 7598  
E-mail: [mail@emrc.org.au](mailto:mail@emrc.org.au)  
Website: [www.emrc.org.au](http://www.emrc.org.au)

The Draft Report comments on the need for more effective assessment and evaluation of legislation and policy instruments. This would be a positive development for all legislation and policy instruments, not just environmental, if based on sustainability principles.

Draft findings and recommendations on the need for more accurate identification of native vegetation as the basis for decision-making is both welcomed and supported. The Perth Biodiversity Project, coordinated by WALGA and supported by the EMRC, is one example of a project that is developing more accurate databases to assist local governments make informed decisions regarding land with significant conservation values.

The recognition of the increasingly important role of regional NRM bodies in supporting and encouraging innovation is also acknowledged, within clearly defined parameters that ensure that the underlying environment is enhanced and protected.

There are, however, a number of concerns with some of the draft findings and recommendations of the inquiry that are outlined below.

- The report acknowledges that the impacts will vary from jurisdiction to jurisdiction, however many of the findings and recommendations do not reflect this variability and hence could be open to misinterpretation.
- The issue of whether compensation is payable for land use decisions which may limit individual landowners from actions that could or would degrade environmental resources or services currently in that landowners' stewardship.
- The report notes the potential impact on land valuation of native vegetation regulations, but does not address whether the original valuations were distorted by misperceptions of the long-term viability of the property and its land use.
- The draft findings and recommendations on removing impediments or loosening clearing regulations are of concern as they do not strongly reflect that any exemptions or variations would need to be within a clear and definite framework aimed at arresting long-term trends related to land degradation.

There are also a range of other issues that we would like to bring to the attention of the Productivity Commission, but have not been able to articulate these in detail due to the absence of several staff associated with the holiday period.

We would appreciate an opportunity to present the EMRC's concerns and comments in more detail at the Perth Public Hearing and have submitted the appropriate request form for my colleague, Ms Lesley Thomas (Manager Environmental Services), and myself to attend.

Yours sincerely

**MICK MCCARTHY**  
**Executive Manager, Environmental Services**