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WILL COMPREHENSIVE REGIONAL ASSESSMENTS WORK?

A WESTERN AUSTRALIAN PERSPECTIVE

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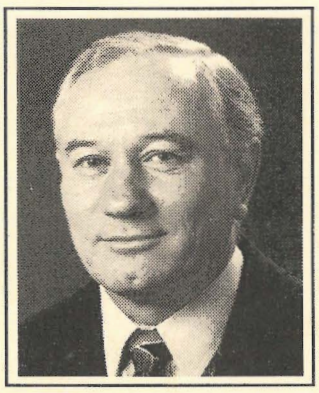

A PAPER TO THE FOREST PROTECTION SOCIETY
NATIONAL CONFERENCE
OLD PARLIAMENT HOUSE CANBERRA, MAY 1994

PUBLISHED BY THE
DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT
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4009-0594-1M



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Introduction

It is essential that I provide this National Conference with a brief history of the development of forest policy in Western Australia over the last 10 years before I deal specifically with the issue of Comprehensive Regional Assessments. Without this historical perspective it would not be possible for members of this Conference to understand the depth of concern that the Western Australian Government has with this latest example of uncontrolled centralism.

Over the last several years:

- In 1987 the State Department of Conservation and Land Management produced a comprehensive forest management and timber strategy developed for Western Australia's native forests. That strategy, which was acknowledged as being a model for the rest of Australia, provided security for both the timber industry and the conservation estate.

- At the same time that this strategy was developed a comprehensive environmental review and management program for the native woodchip industry was produced for, and approved by, both the State and Commonwealth Environmental Authorities.

- In 1992 the State Timber and Forest Management Strategy was reviewed and updated, and a comprehensive joint study, between CALM and the Australian Heritage Commission, of heritage values in the Southern Forest was undertaken.

- In 1991 Western Australia participated in a comprehensive national assessment of forest management by the Resource Assessment Commission.

Nobody could claim that there have not been adequate reviews and assessments of forest management in Western Australia and the public record shows that even such an unlikely person as the previous Commonwealth Minister for the Environment has acknowledged that the Western Australian system was a model for forest management in Australia.

Understandably, Western Australia was extremely reluctant to participate in the development of a National Forest Policy given the huge commitment (which involved extensive public consultation and cooperation with the Australian Heritage

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Commission) the State had already made to the development of its Forest Management Plans. Western Australia participated in the development of the National Forest Policy only after the Federal Minister gave a categorical assurance that it would not result in a revisit of all the work it had undertaken over the past several years.

Unfortunately, all our worst fears were realised when we received the Commonwealth's proposals for comprehensive regional assessments.

The origins of Comprehensive Regional Assessments

Where did the term Comprehensive Regional Assessment come from? To understand its context we must go back to the Intergovernmental Agreement on the Environment of early 1992. The whole thrust of this agreement was the avoidance of duplication of State and Commonwealth processes and the development of a more cooperative approach to matters of mutual interest by clearly defining the roles of each level of government. It is a matter of public record that we have seen little evidence that the Commonwealth Government has made any attempt to reduce duplication, or promote cooperation, since the agreement was signed.

Under the Intergovernmental Agreement on the Environment, it was agreed that the basic approach to be taken in matters relating to the environment and land use was to accredit State

processes wherever possible. All States signed the agreement on this understanding. The National Forest Policy refers to this aspect in the following terms:

"The objective is to reduce uncertainty about land use decisions by adopting a cooperative approach that results in agreed and durable decisions..." It then states that the Commonwealth may accredit State processes. "...Wherever possible the Commonwealth will use this accreditation process."

It then goes on to say "If the Governments agree that the process of accreditation is unlikely or unable to meet all the requirements of the Commonwealth, the Governments will also use other measures such as comprehensive regional assessments."

It is quite clear here that Comprehensive Regional Assessments were only to be used as a last resort. It was on this basis that States accepted the inclusion of this section in the National Forest Policy.

What has happened about Comprehensive Regional Assessments since the National Forest Policy was signed in December 1992? For a long time, nothing. Then the States, through the Standing Committee on Forestry, asked the Commonwealth to come and talk to them about the question of Comprehensive Regional Assessments and accreditation of State processes.

The Commonwealth response was to go into a huddle to define a joint Commonwealth stance on this issue, which I understand required several months to work through. The outcome of that huddle was a discussion paper on Comprehensive Regional Assessments which:

- virtually ignores the notion of accreditation of State processes,

- ignores State aspirations for cooperation in this important area,

- is utterly insensitive to States' desire to manage their own land,

- advocates a cumbersome, inefficient and expensive centrally controlled process.

In short, what is proposed is a disaster which, if it is proceeded with, will destroy the Western Australian forest management model which was one of the principal reasons why the States were prepared to participate in the development of the National Forest Policy.

Western Australia accepts that the Commonwealth Government has an obligation to ensure that the commitments set out in the National Forest Policy are being met. But we do not believe that this requires the Commonwealth to force the

States to comply with the regional assessment process that has been proposed.

Consider the situation in which Western Australia finds itself:

- We have a very comprehensive forest management plan, which is a public document, arrived at after exhaustive scientific examination and public consultation.

- We have taken into account all forest values, including heritage values (for about one third of the forest so far) and the previous Government had reached agreement with the Australian Heritage Commission, through the State Department of Conservation and Land Management, on this issue, after an exhaustive evaluation of heritage values in the forested region.

- We have a comprehensive and representative forest ecosystem reserve system, with the methodology for reserve delineation progressively developed and publicly documented over 20 years.

- We have comprehensive codes of practice covering all activities in the forest to ensure that forest degradation does not take place.

- We have a wealth of research information on the impacts of various forms of disturbance of the forest.

- Our forests are being managed sustainably for all values.

- Our Forest Management Plans have been endorsed by the WA Environmental Protection Authority after an exhaustive public process.

- We subscribe to and comply with the National Forest Policy.

What more could anyone want? Yet on top of all this the Commonwealth says it does not want to accredit State processes, but erect a whole new edifice called Comprehensive Regional Assessments, and ask us to repeat all this mammoth labour!

- There can be no suggestion that what has been achieved in Western Australia does not meet the highest international standards.

- There can be no suggestion that all forest values have not been catered for.

- There can also be no suggestion that any other Commonwealth agency can contribute anything useful to the process!

I find it incredible that it could seriously be suggested that anything of practical use to the nation could come of a tedious, wasteful and time consuming repetition of a process which has taken Western Australia some several years to complete.

For some years now we have been assailed by the Commonwealth Government's oft-repeated calls for the country to get more competitive on the world scene. Any number of Commonwealth inquiries have concluded that barriers to efficiency must be swept away, and that restrictive work practices must cease. The Western Australian Government supports these important principles.

But the Commonwealth proposals for regional assessments are classic examples of the imposition of unnecessary financial and bureaucratic handicaps on the forest based industries in Australia.

I am driven to the conclusion that the Commonwealth attitude in this matter has nothing to do with concern for forests at all, but with enhancement of its central powers at the expense of good management and it really has no interest in promoting efficient forest management and a competitive forest industry sector.

At the same time we see a progressive widening of Commonwealth commitments to international agreements providing even more opportunities for the Commonwealth to intervene in areas which are traditionally the responsibility of the States. Is this really in Australia's interests, or are these commitments merely being used to achieve the internal agendas of some Commonwealth agencies?

Some specific points of concern to Western Australia in the Discussion Paper are:

Data

At several points the Paper alludes to Commonwealth access to data held by a State, with the very clear intention that the analyses would be done in-house by the Commonwealth's Environmental Resource Information Network. Much is made of the Network's "expertise" when the reality is that the Commonwealth has no expertise at all in the land or forest management area. This issue highlights the unreality of the Commonwealth approach to the whole issue of information management. It is fundamental that people who know nothing about the data should never attempt to analyse it. The expertise in respect to management of the data and its analysis resides in the States, not the Commonwealth.

Native Title

At several points in the paper reference is made to the need to avoid any action which would impair a possible claim for native title. In the light of the current disagreement between Western Australia and the Commonwealth on this issue, it is impossible to progress a dialogue about Comprehensive Regional Assessments.

The accreditation issue

This aspect, a key point in the National Forest Policy, is downplayed in the Discussion Paper as it is the quite clear intent of the Commonwealth not to do this at all. The whole thrust of the Paper is that the Commonwealth agencies will carry out the process, with the role of the States being merely to provide them with all the data they need.

It is hypocritical of the Commonwealth to agree to the Intergovernmental Agreement on the Environment, which had as its main thrust the avoidance of duplication of processes, and then set up a new process under Comprehensive Regional Assessments which completely duplicates existing State processes.

Duration of agreements

The paper suggests a time-frame of 10-20 years for a Commonwealth Regional Assessment. This is too short in the

light of the sort of commitments desired by industry for large investments like a pulpmill.

Agreement to contain guidelines for protection of conservation

The Paper suggests that a Commonwealth Regional Assessment should contain guidelines for the protection of conservation values. As a Comprehensive Regional Assessment would virtually have the status of an Act of Parliament, it is inappropriate to place anything but general principles in an Agreement. Field procedures can then change rapidly in response to research findings or changing market requirements.

Open-ended scope of Comprehensive Regional Assessments

The paper makes the point that any existing or proposed arrangements for forest resource use and allocation, which have been developed independently of the Comprehensive Regional Assessments, may also be examined. In other words, the Commonwealth may interfere in anything else it likes.

The proposal to incorporate world heritage assessment into the Comprehensive Regional Assessments

I do not wish to waste the Conference time dealing with this issue. All I intend to say is that under no circumstances will the State of Western Australia contemplate any arrangement

with the Commonwealth Government, which involves assessment for the purpose of world heritage unless we first reach agreement on a range of issues, including accreditation of State environmental processes, guaranteed compensation to those whose livelihood is adversely affected, ongoing financial commitment, and some discipline upon the Federal Minister as to the methods by which, and reasons for interfering in the management of a world heritage site - certainly the requirement he show that there has been a clear diminution of the values for which an area was world heritage listed.

Where to From Here?

We believe we have State processes which fulfil all Commonwealth requirements except heritage. While the former State Government authorised the Department of Conservation and Land Management to cooperate with the Heritage Commission in the assessment of forest values, it did not envisage that the Australian Heritage Commission would move to list farmland.

We are presently examining the Constitutional validity of the Commonwealth's intrusion into the State's environmental responsibilities. I expect that the Commonwealth's insistence of revisiting all of the assessment work done previously, together with the Australian Heritage Commission's move to list private farms, will lead to unavoidable conflict.

We will only be able to proceed on a cooperative basis with the Commonwealth if all the processes we have undertaken are accredited and if private property listed by the Australian Heritage Commission is delisted. We don't want a tedious, expensive duplicative Comprehensive Regional Assessment system.

In view of the recent history of conflict over issues such as national estate listing, we would have thought it obvious that a confrontational approach by either party was wasteful and also unnecessary. There is a better way to do things, by goodwill and cooperation. It is possible for State and Commonwealth agencies to work constructively together, but the high-handed, ambit claim approach of the Comprehensive Regional Assessments Paper certainly will not work.

So where does this leave us? The Commonwealth has provided us with its thoughts on Comprehensive Regional Assessments. We don't like them. We believe that Commonwealth agencies are extending the National Forest Policy into areas which were not envisaged at the time the agreement was signed. We are prepared to talk in a constructive way about accrediting our own State processes, which we believe do fulfil all reasonable requirements, but we will not accept a solution imposed by Canberra.

The State signed the National Forest Policy in a spirit of goodwill, but are now seeing it twisted to serve other agendas. It should be obvious that if States see the National Forest

Policy being used against them, it will not survive. That would be a tragedy, because there is much that is good in the National Forest Policy.

Can I conclude Madam Chair by saying that Western Australia regards this latest intrusion of the Commonwealth into State affairs as another example of an attempt to destroy the basis of our Federation. As my Premier has stated clearly, the purpose of our Federal system of Government is to serve the people, not the self-interest of the bureaucracy or the politicians.

The forests of Australia are best managed by the people who live in them and use them. In Western Australia we have demonstrated we are capable of meeting all the international standards of forest management, and in particular the requirement that our forests are managed to sustain all values.

We are very proud that the conservation status of our forests is protected. But we are even prouder of the fact that we have achieved the integration of economic and environmental objectives and that the environment has been created for a major growth in the forest industries of Western Australia, which will result in more jobs and greater wealth.

When I first became Minister for the Environment in Western Australia I made a commitment to the forest industries, and in particular the Forest Protection Society, that I would:

- Ensure that the forest management Plans would be completed.

- Long-term legally binding resource contracts to the timber industry would be signed.

- The State would further ensure the security of the timber industry by providing legislation to reinforce the legally binding contracts.

Madam Chair, I am pleased to announce that as of four weeks ago the Western Australian Forest Management Plan was signed off and is a legal document. As of 10 days ago, the last of over 100 log resource contracts, which guarantee log supply to sawmillers for 10 years, was signed. Every sawmill in Western Australia now has a legally binding log supply contract. As of Monday of this week I am pleased to advise you the Cabinet has approved my submission to draft and submit to the Parliament of Western Australia Resource Security Legislation via amendments to the CALM Act.

The only clouds on the horizon are the proposals contained in the Comprehensive Regional Assessment document. Madam Chair, Western Australia has delivered the goods. The ball is now at the feet of the responsible Federal Ministers. If they fumble and persist with these ridiculous proposals, they will be responsible for the promotion of conflict and the destruction of livelihoods of many small communities throughout Western Australia. I remain optimistic that the goal

which can be achieved is one that can ensure not only the future of the forest industries, but the conservation of our forests, for the benefit of everybody in the community in perpetuity.

If the Commonwealth persists in its incompetent bureaucratic muddling in forest management issues, it will be responsible for the promotion of conflict and the destruction of the livelihoods of many small communities throughout the south-west of Western Australia.