

Protected and Conserved Areas Policy Section  
Department of Climate Change, Energy, the Environment and Water  
GPO Box 3090,  
Canberra ACT 2601

<https://consult.dcceew.gov.au/consult-draft-principles-for-oecms-in-australia/have-your-say>

Dear DCCEEW Officers,

**OECMs Consultation paper: Principles to guide their recognition in Australia.**

The Urban Bushland Council WA Inc. (UBC) presents the following comments on the OECMs Consultation paper.

The UBC is an association of 87 volunteer community groups, (mostly 'friends of ..' groups) and 100 individual supporter members with a common interest in conservation, protection and management of publicly owned areas of urban bushland in WA. Our member groups collaborate with their respective land managers in bushcare and management activities. The UBC is the peak community organisation for urban bushland conservation in WA and has been active for 30 years.

It is pleasing that the Environment Ministers from all jurisdictions have agreed to work collectively to achieve the 30% by 2030 ('30 by 30') target that was agreed at the COP 15 UN Biodiversity Agreement which adopted the Global Biodiversity Framework (GBF) including four goals and 23 targets for achievement by 2030.

It is disturbing however, to note that only ~22% of Australian land is in formally protected areas. Thus an addition of 60 million ha of land in Australia is required to be protected or conserved. It is noted that both protected areas and OECMs can contribute to the national 30 by 30 target.

**It is recommended that the 30% target be applied separately to each IBRA region. Areas that meet 30% as IUCN LEVEL RESERVES are then considered as part of a 'Comprehensive, Adequate and Representative' (CAR) analysis, others for possible sites, and others where this is not possible, ie the Western Australian Wheatbelt should have legally enforced clearing bans, and other measures for revegetation.**

We acknowledge that the recognition of OECMs in Australia is '*an opportunity to complement growth in protected areas.*' And that '*a strong nationally agreed framework to recognise OECMs will support their consistent and robust identity.*' We strongly support, indeed **it is essential**, that *OECMs require assessment, and require presence of important biodiversity values, that are to be maintained in the long term.*'

It is noted that OECMs cannot be 'formal protected areas' (conservation reserves) – ie must be areas of land outside these.

## PRINCIPLES

As requested, the following comments are made on the 8 principles. Note that answers to your questions are made under the relevant principle.

### 4.1 Principle – **Consent** – on page 9.

‘Consent of the site’s governance authority must be obtained before an eligibility assessment is undertaken.’

This is supported.

#### **An opportunity for OECM recognition:**

But OECMs being **voluntary** is a major shortcoming, especially where there are matters of National Environmental Significance (MNES), State listed Threatened Ecological Communities (TECs), and/or habitat of listed endangered species present.

**There is a major opportunity** for all lands which are MNES such as TECs or habitat for endangered species listed under State laws and/or the *EPBC Act*, but which are on lands other than conservation reserves, to be classed as OECMs. This should be, indeed must be, **mandatory**, not voluntary.

For *EPBC Act* listed TECs, this should enforce their respective Approved Conservation Advices – which includes to ‘PROTECT the ecological community to prevent its further loss of extent and condition’. The Advices give comprehensive management actions for each TEC and for approved endangered species Recovery Plans.

This mandatory protection of *EPBC Act* listed TECs and habitat of endangered species is much needed for OECMs to be what they are: **effective conservation measures**.

### 4.1.1 Principle – **Free, prior and informed consent** – on page 9.

The rights of Indigenous peoples as defined are **supported**.

### 4.2 Principle – **Biodiversity values** - on page 10:

‘OECMs must have important biodiversity values, documented in detail at the time of the site assessment. These values are to be maintained in the long-term.’

Whilst this principle is **strongly supported**, it needs further strengthening.

The **South West of WA Biodiversity Hotspot**, is so recognised at a global level for its unique and biodiverse native vegetation ecosystems and *because it is under threat*. These are very, very important biodiversity values. Less than 30% remains overall. What remains outside of conservation reserves must be recognised and conserved and managed under OECMs. All landholders in this south west region have a duty of care to nature. OECMs need to raise the public awareness and profile and nature values of all remnants. Also the need for all landholders to care for them – eg by controlling invasive species. Landholders need to be given information about their biodiversity. This will require a major government funded program.

Under this principle, recognised national and state biodiversity hotspots need to be identified publicly, and their values promoted and maintained.

### 4.2.1 Principle – **Prioritisation of areas of particular importance for biodiversity** – on pages 10-11.

1. As stated above, the South West of WA Biodiversity Hotspot must be the highest priority area in WA. This region requires specific actions to prevent further loss of biodiversity and for its improved conservation management.

2. In addition, the state recognised biodiversity hotspots and sub-hotspots should also be prioritised.
3. All *EPBC Act* listed TECs and habitat of endangered species and other MNES (eg Ramsar wetlands) must be highly prioritised. These priority areas need to be included for WA. They are of state, national and international significance. There is an opportunity for **all MNES** (regardless of their land tenure) **to be legally protected under the *EPBC Act*, with protection enforced.**

#### **4.2.2 Principle – Restoration sites – on page 11.**

This principle and action details given are **very strongly supported**. The actions align with Approved Conservation Advices under the *EPBC Act* which for example specify the priority need to RESTORE TECs. Substantial Government funding will be needed to help support landholders in this conservation measure. **This is an opportunity for OECM recognition.**

#### **4.3 Principle – Protected area consideration – on pages 11-12.**

This principle is **strongly supported**.

Protected area designation in the first instance as described should be **required** for all the Bush Forever sites in the 'CAR' reserve system for the Swan Coastal Plain portion of the Perth Metropolitan Region. The Commonwealth Government should require that the WA Government's Bush Forever program (December 2000) be fully implemented with **all Bush Forever sites transferred to protected areas as 'A' class reserves for the purpose of nature conservation and passive recreation only, with no other uses permitted.** While most Bush Forever sites are now protected areas, the remaining unprotected sites must be fully protected as the **highest priority**.

OECMs should be encouraged and applied for **ecological linkages** between Bush Forever Areas. This would be a very positive initiative likely supported by local government authorities as well as conservation land managers of Bush Forever Areas and local reserves. Ecological linkages are very important for native fauna movement and sustainability. **Thus, this is another opportunity for OECM recognition.**

The UBC is concerned that adequate, appropriate and sustained biodiversity conservation management may not be achievable for potential OCEM areas such as pastoral lands and urban parklands where alternative uses eg grazing, water points, tourism, recreation, principal shared paths will have legitimacy.

#### **4.4 Principle – Geographically defined area – on page 12.**

'OECMs must be geographically defined, that is, have clear and agreed boundaries that can be accurately identified on maps and on the ground.'

This is **strongly supported** as stated in the details.

#### **4.5 Principle – Land tenure – page 13.**

OECMs on all forms of land tenure as described is **supported**.

On leasehold land, the need for conservation of high biodiversity value lands with for example MNES such as TECs, habitat of endangered species, significant wetlands, or Aboriginal heritage sites must be the primary over-riding factor for conservation of such lands. A significant example is the bushland and wetlands at Perth Airport which is leasehold land to Perth Airport Pty Ltd. Their current proposal for a Major Development Plan for Perth Airport North is for industrial development. This is not an airport facility, and will have unacceptable biodiversity destruction

impacts and should not be permitted. The UBC and other groups have given this feedback in submissions on this environmentally unacceptable proposal.

All the inherently biodiverse uncleared lands in the Perth Airport North area should **be required to be an OECM area.**

Where there are unresolved native title claims, the need for settlement process as described is **supported.**

#### **4.6 Principle – Governance – page 13.**

This principle as described is **supported.**

#### **4.7 Principle – Site management – page 14.**

The four dot points are **supported.**

For example damaging activities that impact biodiversity should not occur on the site.

Monitoring of management of the site will be necessary, but will there be the capacity with suitably qualified persons with relevant knowledge of local species and ecology for the government to properly do this at every OECM site? Landholders must only use **local species** for restoration work. And landholders will need to have the knowledge and capacity to control feral species – both weeds and feral animals such as foxes, cats. **Lots of surveillance to enforce the conditions of the OECMs to achieve biodiversity conservation outcomes will be essential. This is likely to be a limiting factor which must be addressed. Greatly increased Commonwealth Government funding for more DCCEEW officers to manage all this work is an essential need.**

#### **4.8 Principle – Sustained long-term – page 15.**

With regard to the four dot points in the Principle – sustained long-term:

- clear long-term intention..... to deliver in situ biodiversity conservation outcomes
  - 'long-term' and 'intention' needs to be binding
- a commitment to a minimum-timeframe
  - It is recommended that the minimum long term timeframe is 97 years
  - Notably at Jandakot Airport in WA, the land manager was required to commit to protection of the conservation areas for 97 years. The area is of very high biodiversity conservation value for flora and fauna
  - Notably also in the WA Wheatbelt numerous 30 year conservation covenants that were agreed in the 1990s and for which Federal and State funding was used for flora vegetation surveys, landscape mapping and/or fencing subsidies, have now expired and the current owners are seeking to clear the natural areas for agricultural requirements. Some have received permission and cleared the habitat.
- no intention to sell or develop the site in a manner incompatible with biodiversity conservation
  - how will this be legally binding?
- no land use zoning on site that is incompatible with biodiversity conservation
  - how will this be legally binding?

They must be enforced over the years. The requirements will be difficult to enforce over time.

## **6 NEXT STEPS – page 16.**

### **Are there principles missing?**

Yes, there should be another principle under 4.2 for recognition and protection of the *EPBC Act*

listed Banksia Woodlands of the Swan Coastal Plain **endangered ecological community**, and also for the **critically endangered** Tuart Forests and Woodlands of the Swan Coastal Plain ecological community, and for the **critically endangered** Wheatbelt Woodlands.

The principle should recognise and **require** implementation of the respective Approved Conservation Advices under the *EPBC Act* for each of these communities.

The Approved Conservation Advice for the Banksia Woodlands TEC on pages 33 – 43 incl. is very comprehensive and specific. For example it states on page 34: *Prevent further clearance, fragmentation or detrimental modification of remnants of the ecological community and of surrounding native vegetation, for example during residential development, basic raw materials extraction, and associated infrastructure development...*'

The Conservation Advice should be applied and legally enforced via OECMs for **all landholdings** where the TEC is mapped.

### **Separate database for reporting**

The option for a **separate database for reporting** statistics domestically and internationally and monitoring and compliance requirements is needed and **supported**.

### **Extended consultation**

Representatives of the UBC are available to discuss these matters further.

We also look forward to briefings about the OECMs process by DCCEEW in person here in WA.

Kind regards,

### **URBAN BUSHLAND COUNCIL WA**

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**Extract: UBC's URBAN TREASURES  
Red Fingers Fungus – Lightning Swamp,  
Noranda WA**

[Photo: Friends of Lightning Swamp]

UBC acknowledges the Traditional Owners as the spiritual and cultural custodians of this land.  
Together we continue to care for Country.