

# The Facade of Green Initiatives:

A Critical Analysis of the  
Perth and Peel Greening Strategy

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# Introduction

As the adverse impacts of climate change and environmental degradation intensify, embracing sustainable development practices has become an imperative for safeguarding our planet's future.

The Western Australian State Government recently proposed a Perth and Peel Greening Strategy (the Strategy) to mitigate negative climate impacts in the region. The Department of Planning is now seeking public input on this initiative.



While any efforts to prevent tree canopy loss and biodiversity decline are laudable, the Strategy seems unlikely to achieve its goals amid concurrent proposals to modify Environmental Protection Authority (EPA) referral processes, rollout of the Planning and Development Amendment Bill 2023, and concerns about disproportionate developer influence on government decisions 

Western Australia uniquely allows developers to financially contribute to political parties aligned with profit-driven goals, casting doubt on the Strategy's authenticity and suggesting it may be a superficial "greenwashing" tactic, specifically designed to lack enforceable, impactful outcomes.

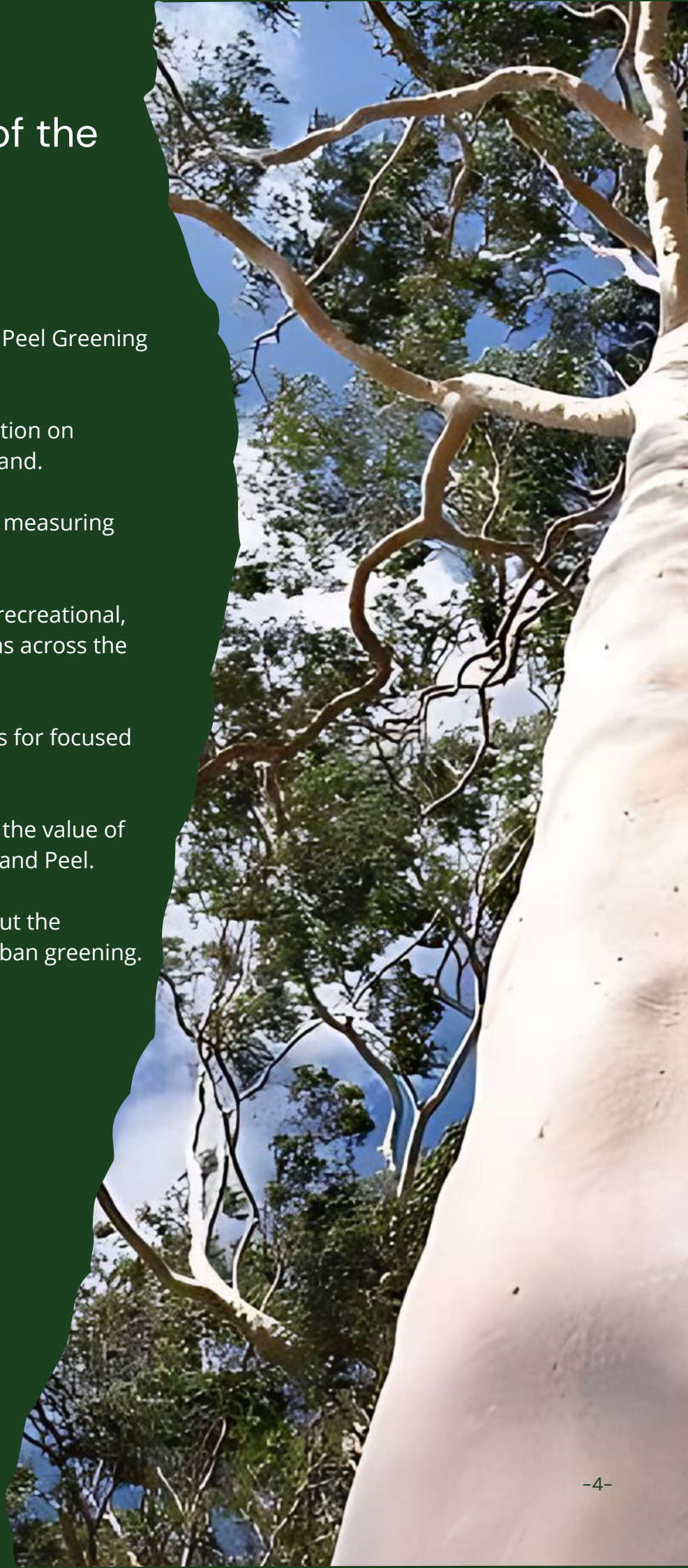
This commentary advocates strengthening provisions of the Environmental Protection Act as a more viable route to safeguarding and rejuvenating Perth's dwindling tree canopy and biodiversity.

By highlighting the Strategy's potential shortcomings and underlying factors that may undermine its effectiveness, juxtaposed against legislated alternatives, this commentary seeks to promote transparent, accountable environmental governance.

# The Objectives of the Strategy

The key objectives of the Perth and Peel Greening Strategy include:

- Increasing tree canopy and vegetation on government-owned and managed land.
- Utilising consistent digital data for measuring urban forest and tree canopy.
- Planning green linkages to create recreational, habitat, and biodiversity connections across the Perth and Peel region.
- Identifying priority urban hot spots for focused tree planting.
- Conducting ongoing research into the value of trees and the urban forest in Perth and Peel.
- Enhancing general awareness about the importance of tree canopies and urban greening.



# The Strategy: A Cloak of Sustainability

## • Lack of Legal Enforceability

Despite its laudable objectives, a glaring deficiency of the Strategy is its non-binding nature, rendering it ineffective as a tool for compulsory change. Without legislative teeth, its directives can easily be disregarded by governmental bodies, developers, and local authorities, reducing the Strategy to mere recommendations rather than obligations.

This lack of enforceability mirrors concerns raised in the analysis of proposed EPA referral changes, where the consequential reduction in EPA oversight suggests a deliberate government intention to dilute critical environmental protections under the guise of 'removal of red tape'.

Media reports state that Planning Minister John Carey has avoided opposition questions about concerns raised by Corruption and Crime Commissioner John McKechnie over the state's sweeping planning law reforms. McKechnie has warned that the removal of checks and balances in the planning process creates new misconduct risks, stating, "Whenever you are removing barriers which would otherwise be the checks and balances in a system – people might call that red tape, but I like to call them checks and balances – there is undoubtedly a misconduct risk."

## • An Inadequate Response to Ecological Crisis

Perth is currently facing a pressing ecological challenge, as evidenced by data from the University of Western Australia's Urban Forest Working Group, which indicates that the city's tree canopy cover is at a mere 18%, the lowest among Australia's capital cities. This falls significantly below the Australian Government's recommended minimum threshold of 20% outlined in the 2020 Urban Forest Agenda, highlighting a critical deficiency in urban greenery. This scarcity exacerbates the urban heat island effect, with studies from CSIRO showing temperature differentials of 4–7°C between Perth's suburbs and vegetated areas. This thermal disparity not only heightens health risks related to heat but also escalates energy consumption for cooling purposes.

Moreover, Perth's status as the Australian city with the most degraded native vegetation condition further compounds the ecological crisis (CCWA, 2021). The looming impacts of climate change add another layer of complexity, with projections from DWER suggesting a potential increase in Perth's mean temperature by over 1.8°C by 2050, coupled with a decline in winter rainfall. These denuded, heat-retaining suburbs are ill-prepared to mitigate the repercussions on human health, energy demands, and wildlife habitats.

To address these challenges effectively, it is crucial to move beyond tokenistic strategies and instead implement robust legislative measures. This necessitates not only increased funding for agencies like the EPA and DWER but also, a significant enhancement in their operational capacities to manage escalating responsibilities. The current disparity in EPA funding compared to other states, underscores the urgency for expanded resources to support recruitment drives for environmental experts, enhanced monitoring capabilities, rigorous enforcement mechanisms, and public education initiatives aimed at fostering community engagement.

Recent reports (Q2, 2023) revealing a concerning 16% surge in unauthorised land clearing in WA – the highest in six years – underscore the limitations faced by the EPA under existing legislation. Without amendments that enforce stringent ecological safeguards through legally binding mandates, Western Australia risks compromising its natural capital and failing to uphold its environmental sustainability commitments under the UN SDGs.



## •The Urgency of Legislative Reform

**Preserving the rural zoned lands of Perth in perpetuity:** While the Strategy completely overlooks this aspect, the preservation of the remaining rural-zoned areas within Perth city is of utmost importance due to their critical role in sustaining a significant portion of the region's tree canopy and biodiversity. It is essential to protect the remaining fragments of these areas from unsustainable and incompatible subdivisions to ensure continued environmental conservation.

The only subdivision that should be permitted within rural zones ought to be 'rural residential' subdivisions, a concept already recognised within the existing planning framework. This approach would require minimal modifications to affected policies within the State Planning Framework and would have an immediate positive impact on conservation initiatives.

Moreover, the existing provisions within the Environmental Protection Act (EP Act) already restrict the clearance of native vegetation on rural zoned land without explicit authorization. Hence, the legal framework necessary to protect the environmental integrity of these areas is already established. By upholding the rural zoning designation for these lands, we can secure the ongoing conservation and preservation of their ecological value. This strategy not only safeguards their biodiversity but also contributes significantly to broader environmental sustainability efforts.



### **Legislating Minimum Canopy Targets:**

1. Establish legislation requiring a minimum 30% tree canopy coverage across all publicly owned domains like parks, road verges, railway embankments, etc. This measure is crucial not only to prevent superficial environmental restoration efforts but also to promote government agency 'buy-in' to creating urban development that is truly sustainable and in harmony with ecological conservation.
2. Mandate at least 30% tree canopy coverage and 30% water permeable surfaces for areas zoned industrial and commercial. Require treatment of runoff before it is allowed to enter waterways and wetlands, preventing wider pollution.
3. The regulations governing urban zoned land, known as the R codes, which impact on privately owned land, need to be reinforced to prioritise the preservation of existing vegetation. This approach would shift the current paradigm from one where developers are permitted to clear vegetation as they see fit for maximising land use, followed by minimalistic re-vegetation efforts or, poorly monitored promises of 'off setting' vegetation loss, to one that inherently discourages the clearing of vegetation.

This change aims to foster an environment where the natural landscape is respected and integrated into urban development, rather than being seen as an obstacle to be removed. Furthermore, 'off setting' as a bushland loss mitigation strategy should be discouraged as there are rarely areas equivalent in the landforms and biodiversity than exist in the development area and even if this was the case, it takes years to realise any tree canopy cover and biodiversity return.

4. For high-density R-code subdivisions, require developers to set aside centralised 30% parkland/tree canopy areas and water permeable surfaces accessible to all dwellings. These proposals aim to shift the paradigm from treating vegetation as an obstacle to development, to one where the natural landscape is respected and integrated into urban planning. Legislating canopy targets and giving environmental preservation priority over clearing ought to be 'a given' in this climate crisis.

**Empowering Environmental Protections:** The events surrounding the EPA and the alleged undue influence of developers and the resource industry on state government actions present a compelling case for concern.

The narrative unfolds with then Premier Mark McGowan's attendance at a Property Council event in 2023 to announce a government initiative, a setting that symbolically frames the intimate relationship between government officials and the development industry. The presence of high-profile developer Nigel Satterley alongside then Planning Minister Rita Saffioti further illustrates the proximity of these relationships.

Central to this discourse is the earlier incident where former Premier McGowan is alleged to have exerted direct pressure on former EPA Chairman Dr. Tom Hatton to withdraw proposed stringent emissions guidelines, a move described as "unprecedented" and "inappropriate." This action not only raises questions about the independence of the EPA but also about the integrity of environmental governance in Western Australia. The guidelines aimed to set the state on a path to net zero emissions, addressing the alarming rise in carbon output—the only state in Australia to have seen an increase since the Kyoto Protocol's signing in 2005.

The backlash from industry, led by Woodside Energy and the mining lobby, was swift and potent, culminating in a highly publicised media campaign against the guidelines. This coordinated effort underscores the substantial influence these sectors wield, suggesting that their interests are capable of overriding environmental policies.

Moreover, Dr. Hatton's revelation that he felt pressured by the then Premier to withdraw the guidelines underlines the tension between political and environmental priorities. The swift retraction of the guidelines, following industry backlash and the Premier's intervention, exemplifies how political considerations can undermine environmental protection efforts. It raises critical questions about the role and efficacy of the EPA if its guidelines can be so readily dismissed under political pressure.

The engagement of some of Australia's most influential business leaders with the then Premier to argue against the guidelines, citing economic concerns, further illustrates the significant leverage these groups have in shaping policy. This incident, therefore, not only reflects on the immediate matter of emissions guidelines but also serves as a microcosm of the broader challenges facing environmental governance in the face of powerful economic interests.

The case of the EPA's withdrawn emissions guidelines in Western Australia is indicative of a concerning dynamic where the interests of developers and the resource sector can unduly influence state government actions, potentially at the expense of environmental sustainability and integrity. This situation underscores the imperative for stronger legislative actions and safeguards to ensure that environmental policy can withstand the pressures exerted by powerful industry groups, maintaining a balance between economic development and environmental conservation.

The recent announcement regarding proposed changes to EPA referral processes has also sparked significant discussion, particularly concerning the composition of the expert panel involved in shaping these changes. The absence of independent environmental experts/academics from the decision-making process is a critical point of contention. This decision raises questions about the balance between development interests and environmental protection, given the backgrounds of Dr. Paul Vogel and Mr. David McFerran.



While Dr. Vogel and Mr. McFerran are undoubtedly experts in their fields, their recommendations to reduce the number of planning schemes referred to the EPA have led to concerns regarding potential biases towards facilitating development, possibly at the expense of the environment. The involvement of an independent environmental expert or academic is often seen as a means to ensure a balanced and impartial evaluation of environmental impacts, potentially offering a more rigorous scrutiny of proposals from an environmental protection standpoint.

The crux of the issue lies in the perception that, without an independent voice, the proposed changes might reflect a prioritisation of development objectives over environmental safeguards. This concern is not to undermine the qualifications of Dr. Vogel and Mr. McFerran but to highlight the importance of diversity in perspectives, especially in matters as crucial as environmental regulation.

Ensuring that environmental policies and referral processes are informed by a broad range of expert opinions, including those from independent environmental academics, is crucial for achieving a balanced approach that does not disproportionately favour development at the environment's expense.

**Implement Stringent Penalties and Audits:** Although the Strategy aims to foster environmentally responsible practices, the overwhelming influence of economic motivations over environmental concerns is likely to undermine its effectiveness. Achieving meaningful change in environmental behaviour and outcomes requires embedding these objectives within binding legislation, particularly in light of the urgent global environmental crisis.

This approach necessitates moving beyond the distractions of piecemeal consideration of fragmented property developments to embrace a broader vision that truly prioritises the government's role in safeguarding the future well-being and safety of coming generations. The imperative to address climate change's long-term impacts underscores the necessity of elevating these environmental objectives to the status of law.

To implement these recommendations effectively, amendments to the Environmental Protection Act are necessary to bolster its effectiveness. Revising the penalty framework to accurately reflect the ecological ramifications of infringements, alongside instituting compulsory environmental audits for significant initiatives, would markedly improve compliance and accountability. This approach shifts the focus from merely symbolic acts to genuine environmental guardianship.







**Protect Ecologically Significant Sites:** The expansion of heritage listing provisions to cover ecologically significant sites such as the Brixton St Wetlands would offer robust legal protection to critical natural assets, ensuring their preservation for future generations. However, concerns about undue influence on policymaking and regulatory practices, as outlined in the analysis, may hinder efforts to protect such sites adequately.

**Enhancing the Support for Environmental Agencies:** Elevating the Environmental Protection Act (EP Act) to a central, overarching position in Western Australia's legislative landscape is crucial in addressing the climate crisis and safeguarding the environment. Strengthening support for the Environmental Protection Authority (EPA) and other environmental agencies through increased funding and resources is pivotal for ensuring the Act's efficacy in protecting Perth's environment against powerful vested business interests – some clearly with direct access to Ministers – which seek minimal regulation.

The lack of adequate funding for public agencies responsible for environmental regulation has created a blatant conflict of interest, reminiscent of the 2023 PricewaterhouseCoopers scandal. Currently, the Western Australian Planning Commission (WAPC) allows developers to directly contract and pay consultants to conduct the Environmental Review mandated by the Environmental Protection Authority (EPA). This conflict undermines public trust, highlighting the urgent need for increased funding to the EPA and the Department of Water and Environmental Regulation (DWER).

While developers should continue bearing the cost of engaging approved environmental consultants for requisite reviews, the specific consultant should be appointed by an impartial Environmental Review Board representing the regulatory agency. This approach safeguards public interests by eliminating the conflict inherent in developers selecting and compensating reviewers directly.

# Conclusion: Toward Substantive Environmental Reform

The Perth and Peel Greening Strategy, while well-intentioned, falls short of effecting genuine and enforceable change to address the region's pressing ecological challenges. Its non-binding nature and lack of legislative teeth render it vulnerable to being relegated to a symbolic gesture, failing to compel crucial stakeholders like government agencies and developers to prioritise environmental preservation. The Strategy itself may serve as a mere distraction or 'false flag,' underscoring the urgency for genuine commitment and concrete actions to safeguard Perth's environmental integrity.

To ensure substantive and lasting ecological reform, a multi-pronged approach centred on legislative overhaul is imperative. Reinforcing the provisions of the Environmental Protection Act through stringent amendments is pivotal to upholding environmental safeguards against the undue influence of powerful business interests. This legislative buttressing must be accompanied by severe penalties for infringements, compulsory environmental audits for major projects, and robust protection mechanisms for ecologically significant sites.

Furthermore, sustainably resourcing and empowering agencies like the EPA is critical to ensuring effective enforcement and implementation of strengthened environmental regulations. Increased funding, expanded expertise, and operational autonomy will equip these agencies to serve as formidable guardians against environmentally damaging practices.

Ultimately, Perth's path to genuine sustainability hinges on transcending superficial "greenwashing" tactics and committing to an overarching legislative framework that cements environmental stewardship as a core tenet of urban development and governance. Only through such holistic reform can the region reconcile its growth aspirations with its ecological preservation imperatives in the face of the escalating climate crisis.

The cultural shift from viewing the natural landscape as an obstacle to an invaluable asset, intricately woven into Perth's urban fabric, necessitates a commensurate paradigm shift in policymaking – one that enshrines environmental protection as an immutable priority. By embracing this transformative vision, Perth can pave the way as a model for sustainable urbanism, safeguarding its ecological heritage for generations to come.



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## \*About EcoVision

EcoVision is a registered Town Team within the City of Kalamunda. The group evolved from a successful community campaign to resist industrialising up to 310 hectares of environmentally sensitive, foothills Wattle Grove.

Residents who supported the campaign have since aligned themselves with the environmental values and direction of EcoVision. They are fiercely protective of their community and make no apology for placing the protection of biodiversity and the natural environment at the top of our agenda in relation to commenting upon documented government and local government initiatives.

In the face of climate change, it is a supreme social value that needs to be rigorously protected by government, despite vested business interests arguing otherwise.

Bev & Charles Dornan, joint coordinators, on behalf of the EcoVision team.