

SOIL AND LAND CONSERVATION AMENDMENT BILL 2021

Second Reading

Resumed from 11 November 2021.

MR C.J. TALLENTIRE (Thornlie) [12.37 pm]: I am very pleased to speak to the Soil and Land Conservation Amendment Bill 2021, which amends the Soil and Land Conservation Act 1945. I recognise that this is important legislation about the preservation of our very important soil resource. If it is not managed carefully, this fundamental ingredient in the production of food and fibre in Western Australia can be lost.

We have in Western Australia incredibly fragile soils. That is a legacy of this ancient landscape that we live on. This part of the world is ancient, and the fragility of those soils is a function of the age of that soil. The soil is not particularly fertile either, which adds to its vulnerability to all kinds of misuse and abuse, whether it is cloven-hoofed animals hacking the ground to bits or inappropriate clearing of the land that then leads to big amounts of run-off or lots of wind blowing soil away. One way or another, we have had to face up to all kinds of problems brought about through the mismanagement of our agricultural landscape, and this was realised back in 1945. Members can imagine that just after the war there was the realisation that we needed legislation to deal with this important issue, and we have advanced things.

I have to say, it has been tremendous to see so many people in the agriculture sector embrace the need to improve farming practices. I want to highlight a former chair of the Soil and Land Conservation Council Rex Edmondson, AO. Rex played a leading role in the Landcare movement, dating back to the 1990s. Rex learnt about conservation through hard experience on his Jerramungup property. He developed techniques to enable him to use the land profitably while ensuring there was a viable, healthy agricultural system in place. But we still have so much to do.

On current estimates, we have somewhere between 2.8 million and 4.5 million hectares of land that is vulnerable to salinity. Quantifying that as an annual loss, based on figures put together in 2009–10, it is about \$520 million per year lost through that element of land degradation. Sadly, this does not strike all farmers and landholders equally; some have thrust upon them a disproportionate burden of the consequences of land degradation. That is a problem. It happens because we farm at cadastral boundaries when we should be looking to farm at a catchment scale. So much of Landcare's work has been to help people realise that there is a need to farm at a catchment scale, hence the creation of land conservation district committees, which are great initiative. I think that idea could be driven further and there is an opportunity for it to be reinstated. I speak as a former member of the Wooroloo Brook Land Conservation District Committee when I tell members some about the brilliant work that that LCDC achieved in revegetation. Sadly, some of that work was burnt in recent fires and ones some years ago, but the effort, awareness raising and general thrust of good land management practices are a very strong part of the whole ethos of the committee.

LCDCs have some extraordinary powers, and I am fascinated to see that they are still in the legislation. I recognise these amendments will change the composition of the council. I will just highlight section 22(2)(b) of the act, which states —

regulating or prohibiting the clearing or destruction of, or interference with trees, shrubs, plants or grasses;

The LCDCs have that power. They can say, "In our area we are going to ban clearing because we recognise the damage that it does." To my knowledge, the Bruce Rock LCDC is the only one that went down that route; there may well be others and I stand to be corrected. It is tremendous to see the legislation includes that power. I note that the penalty, if I am reading things correctly, is only \$2 500 when somebody disobeys a decision made by an LCDC.

In passing, I want to pay tribute to former Commissioner of Soil and Land Conservation Andrew "Nick" Watson. I had the pleasure of working with him when I was at the Department of Environmental Protection, as it was called then. I was working on notices of intent to clear, providing information from an environmental biodiversity perspective into that notice of intent to clear process. Andrew Watson, as the commissioner, chaired our notices of intent to clear meetings. He always dealt with matters in an incredibly fair and reasonable way, respecting the rights and wellbeing of farmers, and the need to balance their interests with biodiversity, conservation and land degradation interests. As I said, he looked to find some level of equity amongst people in the catchment. We have a sad situation in which somebody high up in a catchment can perhaps clear thousands of hectares of land—remove all the vegetation—and have a highly productive farming system, but someone lower down in the catchment will cop the consequences of a rising groundwater table that might render their land saline and infertile, impossible to use and no longer arable. It is very important to realise decisions made by one landholder can very quickly, but sometimes quite slowly, impact on an adjacent landholder. There is an equity issue here and this legislation seeks to make sure that the rights of one landholder are not pursued to the detriment of another landholder. It is a very important consideration, indeed.

I also want to highlight section 3 of the act, which highlights that the Soil and Land Conservation Act 1945 is supplementary to other acts. I have always felt that the wording of the section is a little ambiguous and a bit confusing. I think that is why in 2004 the then Minister for the Environment, Judy Edwards, sought to move all land clearing approvals from the Soil and Land Conservation Act and put them into part V of the Environmental Protection Act so that there would be no ambiguity about decision-making. It means we recognise the primacy and importance of environmental protection in all forms, and that whether it is guarding against the erosion of land or soil, or the risk of salinity, we have all the powers in place to do that. But there is still a need for us to be really sure on this, and I know the Minister for Environment has been working hard to generate a policy around native vegetation protection. So many of the problems we have with soil degradation, erosion, nutrification and salinity have something to do with the clearing of land. Of course, by clearing land we lose biodiversity, but we also put at risk that incredible soil resource, so there is a very strong need to have a native vegetation protection policy.

I am really pleased to see these amendments to the legislation. I know many excellent people in the department of agriculture and food are working in this area. As I say, I have had the pleasure of working with some of them. I was always struck by the fact when I was in the department that I was only a level 2.4 officer but because I was a graduate I could advance through the grades. I would go out to the regions and some of the department of agriculture officers I would meet had been in place for years, with loads of experience and a wealth of knowledge, and they were dealing with really complex situations, but they were only level 2 because they did not have a degree and were not in a position to advance. I was always struck by that and I hope that these days they are given all the resources they need. I remember fondly going out on visits. I had to deal with landholders who had an idea of the benefits of clearing an extra hundred hectares. It often struck me that people with those sorts of clearing proposals often had a farm business model that was probably as unsound as their clearing proposal. Too often, those two things came together. Naturally, the people who wanted more arable land believed that their proposal would not lead to any form of degradation.

I also note that we have had a huge discussion and debate on the approach to draining land when it becomes saline. One solution for some landholders is to create a drain and essentially move the saline water from one piece of land and onto another. Again, the Soil and Land Conservation Act is critical to protecting the rights and wellbeing of adjacent landholders, and perhaps at times it is necessary to talk to people about their drainage solutions. These are very deep drains that require some big earthmoving equipment to create. The water has a very low pH; it is very acidic and it is damaging. It is highly saline. Some people have the idea to just funnel it off to a creek line somewhere or move it off to a nature reserve. That sort of thing has been seen in the past; of course, we have to guard against that. Drainage can be highly effective when the water is brought to an evaporation pond so that the excess water can be dealt with in situ.

This is important legislation and I fully support it.

Debate interrupted, pursuant to standing orders.

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