

**Environment Matters forum –  
*WA's Nature: From Crisis to Action***

Tues 16 July 2024

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**Intro**

1. Thank you ...
2. Just to set expectations, I'll talk first about the crisis we're in and what we want out of our Nature laws
3. This first bit is a way of thinking about how our Nature laws *ought* to work
4. Then perhaps we might talk about the proposed changes to State and Cth Nature laws in the Q & A portion
5. In terms of this way of thinking about what we want out of our Nature laws, I'll talk about four things.

**TRUTH**

6. The first thing to talk about is Truth.
7. Truth is, of course, the status of things: the number of species and ecological communities on threatened species lists.
8. Truth is, of course, the progression of things: the decline of populations to local extinction and the decline of species and ecological communities to total extinction.
9. Truth is, of course, the intensification of all the threats, the awful combustion of all of them working their harm together – climate change working with deforestation working with inappropriate prescribed burning, warming oceans working with acidifying oceans.
10. And Truth, also, is the First Law of this State.

11. Truth is acknowledging the Traditional Owners of the lands and waters where we are – wherever we are in the State – and Indigenous Elders, Custodians, their descendants and kin of these lands and waters, past and present.

12. This is Truth because the First Law of these lands and waters where we live is one of sustainability – of people living in a custodial relation with the land, the sea, the air, the river, the wetland, the plants and animals.

13. This First Law is, has been, always will, continue.

14. Thus, for example, though we talk about getting *to* Net Zero, the reality is that it's a matter of getting *back* to Net Zero.

15. Because the Truth is that's how the climate system of this State worked for so long.

16. And this First Law, this State law of sustainability, binds us to caring, makes caring the central purpose of our being here.

17. Because the last lines to the Noongar story *The Carers of Everything* – told by Noongar Elder Dr Noel Nannup – are:

*yeyi moort balaap birdiya, balaap moondang-ak-kaaradjiny*

which Dr Nannup translates as

*the people were now ready to fulfill the reason for their existence: to be the carers of everything*

## **KIN**

18. Which leads us to talk about our kin.

19. Because to say that we are in crisis – that the land, the sea, the air, the plants and animals – are in crisis, is a crisis of relationships – of relationships that are damaged, dysfunctional, made harmful. That we maintain relationships that kill and injure and undo.

20. Thus, the action we need – the Nature law we require – is to heal and restore relationships, so these relationships sustain everyone: every land, every sea, every water, every plant, every animal.
21. And to be specific, these are relationships with our *kin*.
22. Because the foundation of law is good kin relations.
23. Some of you might remember that in the recent Environment Matters forum at Piney Lakes, Oral McGuire, a Noongar leader and chair of the Noongar Land Enterprise Group, talked about biodiversity as spirit (or ‘wirn’) and ecosystems as kinship systems.
24. For Noongar, and other Indigenous nations, their Lore contains particular concepts of kinship.
25. And in this State, alongside all these many Indigenous systems of kinship, are other systems of kinship – systems of private kinship and public kinship.
26. *Private kinship* is the individual kin relations we hold.
27. The kin relations that each of us have with the lands and waters, and plants and animals, around us.
28. The kin relations that each of us sustain through our own acts of kinship: through work to weed and revegetate and rewild, through the work of groups and on our own, through the work of citizen science, through the work of advocacy, through all the ways in which we express our care for our kin.
29. And we want local governments, and the State and Commonwealth governments, to engage in *public kinship* – to maintain a custodial relationship with the State’s lands, waters, airs, plants, animals – on behalf of us.
30. Thus, if we talk about Nature laws, these are laws of kinship, laws of good relations with our kin.

## **THE WRIST OF US**

31. Which leads to us.
32. And I just want to ask something, and hope that's ok.
33. If it's ok, if you can hold an arm in the air and close your hand into a fist.
34. Then think hard about one land, or one water, or one plant, or one animal that you are kin to, that you have kinship with – and imagine you are the history to that one land one water one plant one animal.
35. Then look below your arm and see the whole body of you, the whole history of that one land or one water or one plant or one animal that is your kin.
36. You'll see the broadness of this trunk to you, of this broad torso to the whole history of that one land one water one plant one animal that is your kin.
37. Then if you look up, you'll see the narrowing, the thinning length of your arm, the winnowing history of that one land one water one plant one animal that is your kin.
38. Till you reach the wrist of you – the narrowest part of your body, or the narrowest part to the whole history of that one land or one water or one plant or one animal that is your kin.
39. That is where we are now.
40. So the question for us now is – do we cut off our hand and end that history of us our kin?
41. Or do we open our fingers and branch into a future of respectful, sustaining relationships with all our kin?
42. Put in terms of Nature law, the question now is: do we manage the decline of species to extinction and the decline of lands and waters into a nothingness?
43. Or do we have law that enables us to create landscapes that can sustain the recovery of populations, and restore the degraded and the diminishing?

44. Because the wrist – this bottleneck to the existence of all our kin of dirt and stone and water and flesh and blood and bark and sap – is the shortest time.

45. And the decisions we make this decade will determine what kin we have in a century's time, when – we must hope – the curve of warming has ended and we have begun to turn back the climate to its preindustrial state.

### **THE LIVING MESH OF THIS STATE**

46. Which leads us to the living mesh of this State. The tissue of plant and algae and coral that sustains us all.

47. Beginning up north, the living mesh of the coasts is mangroves, is coral reefs, is seagrass meadows – the largest in the world – is kelp forests all across the southern arm of this State.

48. Then turning inland, we have heathlands and peatlands and karstlands, and Banksia and Tuart woodlands, and forests of Jarrah, Marri, Karri, Wandoo.

49. We have such poor relations with all of these kin.

50. We kill and deforest them – by blades and by burns, by drought and loss of water in the earth, by heatwaves that work in the sea, against kelp and seagrass and coral, just as well as they work on land, against Proteaceae and eucalypts.

51. From one end of the State to another, the worth of this living mesh is chronically undervalued and its replaceability constantly exaggerated.

52. And always always is the fragility of this vast living mesh understated underestimated underprotected.

53. By replaceability, I don't mean the broader, important work of revegetation, of rewilding, of healing the grand living mesh of this State.

54. I mean the lies of a forest miner who tells you that – in this drying climate – they will put back all that they have taken.

55.I mean the illogic of a proponent who tells you they can offset the unique biota they will destroy.

56.I mean the conduct of a government that claims a policy of net gain of native vegetation at a landscape scale but implements a vision in which there is no space for the living mesh of our kin at all.

57.That is the law we want – a law that keeps and sustains the living mesh of our kin, so our children and grandchildren can have the same kin relations we have now.

Thanks very much, happy to address any questions about the State and Cth Nature law reforms in the Q & A section.