

**To: Department of Water and Environmental Regulation**

**Re: Native Vegetation in Western Australia – Issues Paper,  
November 2019**

10 February 2020

## INTRODUCTION

Thank you for the opportunity to comment on the Issues Paper dated November 2019 titled *Native Vegetation in Western Australia*.

We support the thrust of the Paper to improve consistency and transparency in how native vegetation is managed across all government processes by implementing the following initiatives:

- A State native vegetation policy
- Investing in better information
- Improving regulatory processes
- Exploring a bioregional approach

## ABOUT AMEC

The Association of Mining and Exploration Companies (AMEC) is the national industry body representing over 275 mining and mineral exploration companies across Australia, the majority of which have project interests in WA.

The mining and mineral exploration industry make a critical contribution to the Western Australian economy, employing around 100,000 full time equivalents in 2018/19. These companies collectively paid over \$6 billion in royalties and generated more than \$107 billion in mineral exports.

In 2018/19, WA mining and mineral exploration companies invested \$2.3 billion to discover the mines of the future.

## SPECIFIC COMMENTS ON THE ISSUES PAPER

### **A State native vegetation policy**

A strategic approach to the management and monitoring of native vegetation is supported, particularly noting that the list of threatened species continues to grow.

We note that there are more than 10 government departments and authorities applying 16 Acts of Parliament that play a role in managing activities that affect native vegetation. The proposed creation

of a single framework for native vegetation should result in more consistent cost-efficient processes and the removal of duplication across agencies.

AMEC fully supports the proposal that management of native vegetation policy is consistent, transparent and strategic, and strikes a balance between environmental, economic, social and cultural outcomes.<sup>1</sup>

When implementing the policy great care will need to be taken to ensure that there are no unintended consequences for land developers and the environment. This is particularly important in the implementation of Delegation Instruments within agencies, and with third party agencies.

### **Investing in better information**

Sound evidence-based decisions are critical in the assessment and approvals process. The development and significant contribution by industry in the implementation of the Index of Biodiversity Surveys for Assessments (IBSA) is a tremendous start in bringing regulatory information into a central place.

In the AMEC 2020/21 Budget submission to the WA Treasurer, we have acknowledged the work undertaken by the Western Australian Biodiversity Science Institute (WABSI) in leading a culture of shared data and expertise for more confident policy and decision making, utilising biodiversity data from all available sources.

The development of the Index of Biodiversity Survey for Assessments (IBSA) by WABSI is an excellent initiative that provides a publicly accessible repository that captures and consolidates data from more than 500 biodiversity surveys each year. This is an example where digital technologies can be used to streamline the capture, supply and interpretation of data in the environmental impact process.

We understand that WABSI intends to look at ways in which a shared analytical framework can be established to better assess the cumulative impact of an action on a region, over time.

The November 2019 announcement by the Prime Minister to create a single digital environmental approvals process and biodiversity database in partnership with the WA Government is a welcome initiative as it should considerably cut costs, assessment and decision timeframes. We understand that a commitment is also required from the WA Government for that announcement to be fully leveraged.

### **Improving regulatory processes**

AMEC members continue to be concerned about the costly delays and frustrations with the overall approvals process across relevant Government agencies.

We note that additional funding was provided to the Department of Water and Environmental Regulation (DWER) to increase the resources to deal with environmental approvals within the Environmental Protection Authority Services Division and in processing native vegetation clearing

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<sup>1</sup> Issues Paper – page 12

permits. As it has taken over 12 months to work through the recruitment process, we note that to date that there has been limited improvement in assessment and decision-making timeframes.

At AMEC's suggestion we held a workshop with DWER in August 2018 on their environmental approvals processes at which various administrative related suggestions were made, including the use of external accredited environmental practitioners for low risk work. On 20 October 2018 the Minister for the Environment indicated in a media statement that the concept was under consideration. Although this initiative has the potential to clear a backlog of 'low risk' and secondary / post approval amendments and reduce assessment timeframes it has still not been implemented.

Proposed amendments to the *Environmental Protection Act* which are aimed at simplifying and improving the provisions for native vegetation clearing by focusing on environmental outcomes rather than administrative processes, have been supported by AMEC through the current statutory review of that Act.

### **Exploring a bioregional approach**

We note that the current case-by-case assessment of development applications makes it difficult to effectively plan for environmental outcomes and address cumulative impacts. Although a bioregional approach is supported in principle by AMEC members care will need to be adopted to ensure that there are no unintended consequences at the project level. Striking the right balance between social / economic and environmental outcomes will be fundamentally important in this regard.

In 2015, AMEC reluctantly agreed to the creation of the Pilbara Environmental Offset Fund (The Fund) and its associated governance arrangements. We have since engaged in ongoing dialogue and provided input to the governance framework, and now pleased to note that an Implementation Plan will soon be released describing how the Fund will be delivered over the next five years.

The subsequent delivery of larger and more strategic landscape scale projects than would otherwise occur if individual offsets projects were delivered independently is a clear environmental benefit for the Pilbara bioregion. This is even more beneficial when acknowledging that over \$90 million has been conditioned to the Fund for projects anticipated to extend over the next 40 years.

The adoption of a similar Fund in other Western Australian bioregions could also result in similar forecast environmental benefits.

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