

To: Department of Water and Environment Regulation

Re: Native Vegetation Policy consultation draft

25 October 2021

Introduction

AMEC appreciates the opportunity to provide a submission to the proposed Native Vegetation Policy. We also appreciate the Department's briefing of Industry Associations on 8 September, and the willingness of DWER staff to answer subsequent questions.

About AMEC

The Association of Mining and Exploration Companies (AMEC) is a national industry body representing over 425 member companies across Australia. Collectively, AMEC's member companies account for over \$100 billion of the mineral exploration and mining sector's capital value.

The mining and exploration industry make a critical contribution to the Australian economy, employing over 255,000 people, and in 2019/20, collectively paid over \$39 billion in royalties and taxation. In 2019/20 resources companies invested \$35 billion in new capital and generated more than \$176 billion in mineral exports. \$2.8 billion was spent on minerals exploration in 2019/20, representing an 18% increase from the previous year. In Western Australia, in 2020 the mining sector employed a record 140,940 workers and generated \$148 billion from the sale of minerals.

Native Vegetation Policy

General feedback

AMEC conceptually supports the Native Vegetation Policy. The majority of our concerns relate to governance, coordination, procedure, application and delivery of the proposed policy.

The Policy has had a long gestation at least extending back to the 2009 Regulation Review of Native Vegetation by the Expert Committee led by Dr Gary Middle¹. It should be noted that despite being over a decade old, many of the issues identified in that Review still need resolution.

Stakeholders

The Policy intentionally covers a wide range of Government agencies. The inclusion of the Environmental Protection Authority and the Wildflower Society raised questions. The Environmental Protection Authority is established explicitly as an independent Government advisory board. Practically, DWER are better resourced to be the lead agency for the "opportunities" identified for the

¹ <https://library.dbca.wa.gov.au/static/FullTextFiles/071131.pdf>

<https://www.mediastatements.wa.gov.au/Pages/Barnett/2009/07/Review-of-native-vegetation-clearing-released.aspx>

EPA, which are mainly administrative, such as 3.1b *Track clearing over time*. From Industry's perspective EPA's focus on approvals must remain the perspective.

The inclusion of the Wildflower Society of Western Australia², who is not a Government organisation, in a Government document, identified as a Lead Agency is incongruent. The Opportunity, 4.6, *Develop and implement a Wildflower Friendliness Rating Scheme, to reward LGAs with wildflower-friendly roadsides* should be assigned to DWER or JTSI as lead. It is assumed this scheme will be developed by the Wildflower Society via a grant of some form. While AMEC is not at all opposed to the Wildflower Society developing such a scheme, it seems out of place. We assume that several associations will be engaged in the consultation or delivery phase throughout the life of this Policy.

Weighting of Policy

The current draft of the policy is largely composed of actions to commence in years 1-3, as illustrated by the following table.

Stage of action items	Number / Percentage
Commence 1-3 years	29 (74%)
Commence 4-6 years	8 (20%)
Commence 6-10 years	2 (6%)

There are only two identified to commence beyond the sixth year. Given the rate of technological change, it is reasonable to expect (and hope) that technology will have shifted in the next six to ten years. In that time unforeseen opportunities beyond the conception of this policy will have emerged.

AMEC considers that the Government should consider removing this pair. Given the nature of these two opportunities, which are self-evident extensions of the other pre-existing opportunities. This would reduce the Policy's lifespan to a more realistic six years.

New opportunities

The Policy is weighted toward a restatement of existing obligations, outcomes, and policies. The two distinctly new opportunities are:

- 3.1 (Leverage satellite opportunities); and
- 4.1 (Pricing and incentives).

These two new opportunities must be consulted upon separately with Industry. Both could lead to substantial shifts in the execution of native vegetation regulation. There is a lack of detail to sufficiently comment on the cost benefit of either opportunity.

² <http://www.wildflowersocietywa.org.au/wp-content/uploads/2016/07/History-of-the-Wildflower-Society-of-Western-Australia.pdf>

Coordination & Governance

A stated intent of the document is to “improve agency collaboration”³, an important objective, which if achieved, would lead to improved outcomes and efficiencies.

The Policy includes all State Government agencies that are responsible for native vegetation, extending through to the related boards and commissions. This is a large group of disparate organisations of varying capacity and regulatory focus. How these Departments, Boards, Commissions and Agencies efforts will be coordinated is unclear. Ensuring that there is no duplication of regulatory effort and whole of government alignment to deliver on the outcomes of this strategy should be a priority.

A mechanism must be identified in this policy to deliver on the four strategies identified in the Road Map (page 13 onward). Especially the first Strategy which starts with the opportunities:

- 1.1 Prioritise areas or matters for strategic collaborations or planning. Identify policy-making pathway(s), spatial boundaries, lead agency, participants, and implementation pathways.
- 1.2 Develop outputs, including regionally tailored objectives and priorities, in line with outcomes 1 and 2, and their goals and approaches.

These are the most two important “opportunities” in the document, as they will determine the content and outcomes of the subsequent strategy. Beyond identifying that the Lead Agency for both is DWER, and that DWER will have to partner with other Departments, the Policy is unclear on how these opportunities will be coordinated and actioned.

Detail on how this Policy will be delivered, and the next steps is needed. Industry would welcome an opportunity to have a further voice in that process.

Wheatbelt focus

The Wheatbelt has historically been extensively cleared of most native vegetation for broadacre cropping. This “intensive land use zone” has different pressures, stakeholders, underlying tenure, industries and environmental considerations than the “extensive land use zone”. The “extensive land use” zone extends over the vast majority of the State. The “extensive land use” zone also has a larger representation of pristine native vegetation. The Wheatbelt is not representative of the majority of the State’s native vegetation. AMEC is concerned that the structure of the ‘opportunities’, with the focus on the Wheatbelt, will shape the subsequent native vegetation strategy to reflect the realities of a zone with a scarce vegetation. The Wheatbelt is not a realistic nor representative baseline of Western Australian native vegetation.

SMART opportunities

The ‘opportunities’ listed throughout the Road Map do not satisfy the SMART (specific, measurable, achievable, realistic and time-bound) criteria. Due to the way they have been drafted it is difficult for a future review to determine whether the intent has been achieved or not.

³ Page iii, Ministers Foreword.

Reporting

The Policy does not include a transparency objective or reporting outcome that will outline how the objectives identified have been achieved. This should be included as a priority.

Hierarchy of documents

The breadth of content and number of stakeholders identified in this document suggests that the Policy may be considered to have an overarching position compared to other Departmental strategies, policies, and objectives. The Policy should clarify what place it expects a reader, or Government Department, to consider it in the hierarchy of documents.

Final comment

AMEC conceptually supports a unified Whole of Government Native Vegetation Policy as proposed. However, greater clarity is needed on how the Policy will be delivered and the opportunities identified need to be further quantified. AMEC is interested in participating in the further progression of this Policy and associated strategy to deliver on the opportunities identified.

If you would like to discuss the content of this submission, please contact the below.

For further information contact:

██████████
Director - WA, SA, NT & Industry Policy
AMEC
██████████

or

██████████
Senior Policy Adviser
AMEC
08 9320 5150