

## RER ADVISORY PANEL AGENDA

<b>Date:</b>	Fri 13 June 2014	<b>Time:</b>	9:30am – 11:30am
<b>Venue:</b>	Director General's Conference Room – Level 8, Mineral House, 100 Plain Street, East Perth		

### Agenda

Item	Topic	Who
1.	Welcome, apologies, actions from previous meeting	Chair
2.	Progress updates: RER Status Report	Chair/all
3.	Implementing an Outcomes Based Regulatory Framework: Mining Proposal Reform and Implementation	Steve Tantala
4.	Other business	Chair/all
5.	Next meeting: Friday 19 September 2014	Chair

### Supporting Papers:

1. RER Advisory Panel – minutes and actions 14 March 2014
2. RER Status Report

### Scheduled Meetings:

- 13 June 2014, 09:30-11:30
- 19 September 2014, 09:30-11:30
- 5 December 2014, 09:30-11:30

**NOTE:** All meetings are audio-recorded for the sole purpose of producing accurate written Minutes of the meeting. Recordings are deleted once the Minutes are confirmed as the official record of the meeting.



File No: A1439/201201

## RER ADVISORY PANEL MEETING MINUTES

<b>Date:</b>	13 June 2014	<b>Time:</b>	9:30am – 11:30am
<b>Venue:</b>	Director General's Conference Room – Level 8, Mineral House, 100 Plain St, East Perth		

### Members present, observers and apologies

#### Present

Dr Phil Gorey (CHAIR)	Executive Director, Environment Division, Department of Mines and Petroleum (DMP)
Mr Simon Bennison	Chief Executive Officer, Association of Mining and Exploration Companies (AMEC)
Mr Kane Moyle	Manager – Environment, Chamber of Minerals and Energy WA (CMEWA)
Mr Harry Backes	State Director Western Australia, Cement Concrete & Aggregates Australia (CCAA)
Dr Nic Dunlop	Conservation Council of Western Australia (CCWA)
Mr Anthony Sutton	Director, Assessment and Compliance Division, Office of the Environmental Protection Authority (OEPA)
Mr Richard Riordan	General Manager Project Facilitation, Department of State Development (DSD)
Mr Patrick Pearlman	Principal Solicitor, Environmental Defender's Office WA (EDOWA)
Mr Alan Sands	Director, Environmental Regulation Division, Department of Environment Regulation (DER)
Mr John Connolly	Department of Water
Mr Mike Lucas	President, Amalgamated Prospectors and Leaseholders Association (APLA)

#### Observers

Mr Steve Tantala	Director Operations, Environment Division, Department of Mines and Petroleum (DMP)
Dr Marnie Leybourne	General Manager Administration and Reform, Environment Division, Department of Mines and Petroleum (DMP)
Ms Kate Buckley	Environmental Officer, Administration and Reform, Department of Mines and Petroleum (DMP)
Ms Sue Shadbolt	Business Systems Coordinator, Administration and Reform, Department of Mines and Petroleum (DMP)

#### Apologies

Mr Milan (Zak) Zaklan	Policy Director - Resources, Pastoralists and Graziers Association of WA (Inc) (PGAWA) ( <i>proxy for Gary Peacock</i> )
Mr Andrew Taylor	Senior Policy Advisor – WA/NT, Australian Petroleum Production and Exploration Association (APPEA)



## Agenda items discussed and actions to be taken

Item	Topic	Action
1.	<b>Welcome, actions from previous meeting</b>	
	<p>The Chair welcomed members to the sixth meeting of the Reforming Environmental Regulation Advisory Panel.</p> <p><b>Actions from previous meeting:</b></p> <ul style="list-style-type: none"> <li>• <i>DMP to obtain further information from Queensland on providing quarrying companies with access to basic raw materials on mining tenements (Legislative Framework). Kate Buckley advised the main differences between Queensland legislation and WA legislation. Harry Backes advised the difficulty being notifying other tenement holders. This action to be closed and the issues should be forwarded through MILC.</i></li> <li>• <i>DMP to review PoW guidance material regarding industry notifying land owners, and the details required for land access agreements between mining companies and land owners. (PoW) On hold - will be dealt with in guideline review.</i></li> <li>• <i>DMP to amend Implementation Plan to add DPAW as stakeholder and include notes from petroleum duplication and overlap meeting. Updated Implementation plan to be sent to Panel.</i></li> </ul>	<p>Completed.</p> <p>Ongoing</p> <p>Implementation plan to be sent to panel.</p>
2.	<b>Progress update</b>	
	<p><b>a) Legislative Framework for Mining Regulation</b></p> <p>The gazettal of stage 1 should be in government gazette on Friday 20<sup>th</sup> June 2014. Stage 2 amendments hope to be introduced in to parliament by November 2014. Currently being considered by government for approval to draft.</p> <p>Consultation time for stage 2 amendments will be 2- 4 weeks.</p> <p>Comment period for discussion paper has closed. 10 submissions received. General themes were overall support for framework. DMP recognizes ongoing consultation with industry essential.</p> <p>Most themes in the discussion paper will be progressed for recommendation to minister.</p> <p>DMP have received advice bonds can only be used for the specific purpose eg the tenement bonded. DMP will look at rehabilitating abandoned sites with bond money but if short will look at MRF funds.</p> <p>Response to comments will be finalized by end of month.</p> <p><b>b) Mining proposal format</b></p> <p>DMP has completed MP format. Targeted format will be sent out in next 2 weeks.</p>	



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	<p><b>c) Consultation schedule</b></p> <p>Will be included in papers sent to panel</p>	
<b>3.</b>	<b>Mining Proposal (MP) Reforms</b>	
	<p>Steve Tantala gave presentation of how proposed reforms will change format of MPs.</p> <p>Industry consultation expected to commence in July. A range of companies have been targeted for trial, including medium sized. The general public will be consulted by October.</p> <p><i>Transparency</i></p> <ul style="list-style-type: none"><li>Concerns rose regarding the public availability of MPs at application stage. DMP are aware of these concerns noting not all these concerns relate to the majority of proposals. DMP are keen to seek bilateral accreditation process which requires public engagement.</li></ul> <p><i>Risk Based Regulation</i></p> <ul style="list-style-type: none"><li>Risk-based regulation is a proven effective environmental model. Other states have been using this method for over 10 years.</li><li>Peer review may be needed on compliance with standards for particular features, and the guidelines will reflect standards required.</li><li>Concerns were raised regarding small operators being priced out of the market due to the requirements. DMP advised that the requirements will be proportional to the environmental risks.</li><li>Reporting will be mandatory to report any deviation.</li><li>Implementation strategy will be owned by proponent. Will not discriminate against smaller operators.</li></ul> <p><i>Procedures and Systems</i></p> <ul style="list-style-type: none"><li>Aims to eliminate the need for multiple approvals for the one site.</li><li>System of notification for minor changes will be assisted by electronic lodgment.</li><li>Discussion took place of the difficulties of consistency across government departments. Spatial capture of projects would help this issue.</li><li>Ability to track all approvals.</li><li>DMP has target that all regulatory correspondence will be electronic by 1 July 2016.</li><li>Environment Division are on the way to this goal with Programmes of Work Exploration end to end online by 30 June 2014.</li><li>AMEC will identify members to be included in the trial.</li></ul>	



Item	Topic	Action
<b>4.</b>	<b>Other business</b>	
	DPC are coordinating negotiations amongst WA agencies regarding the assessment bilateral, which currently only covers certain processes in Part 4 of the <i>Environmental Protection Act 1986</i> .	
<b>5.</b>	<b>Next meeting</b>	
	Friday 19 September 2014, 9:30-11:30am	