



File No: A2107/201301

RER ADVISORY PANEL MEETING MINUTES

Date:	18 September 2015	Time:	9:30am – 11:30am
Venue:	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 Richard Riordan	General Manager Project Facilitation, Department of State Development (DSD)
Ms Sally Bowman	Representing Anthony Sutton, Office of Environmental Protection Authority (OEPA)
Mr Harry Backes	State Director Western Australia, Cement Concrete & Aggregates Australia (CCAA)
Mr Ian McLeod	Representing Patrick Pearlman, Environmental Defender's Office WA (EDOWA)
Mr Nic Woolfrey	Manager, Environmental Management Branch, Department of Parks and Wildlife (DPAW)
Ms Jana Herbert	Representing Kane Moyle, Chamber of Minerals and Energy WA (CMEWA)
Mr Andrew Taylor	Snr Policy Advisor – WA/NT, Australian Petroleum Production & Exploration Association (APPEA)
Mr Hamid Mohsenzadeh	Representing John Connolly, Department of Water (DoW)

Observers

Dr Marnie Leybourne	Director Operations, Environment Division, DMP
Ms Julie Mahony	Policy Officer, Administration & Reform, Environment Division, DMP
Mr Dan Machin	General Manager, Minerals South, Environment Division, DMP
Ms Danielle Risbey	General Manager, Minerals North, Environment Division, DMP

Apologies

Mr Kane Moyle	Manager – Environment, Chamber of Minerals and Energy WA (CMEWA) Proxy J Herbert
Mr Mike Lucas	President, Amalgamated Prospectors and Leaseholders Association (APLA)
Mr John Connolly	Director Regulation, Department of Water (DoW)
Dr Nic Dunlop	Conservation Council of Western Australia (CCWA)
Ms Kelly Faulkner	Executive Director Licensing and Approvals, Department of Environment Regulation (DER)
Mr Anthony Sutton	Director, Assessment & Compliance Division, Office of Environmental Protection Authority (OEPA)
Mr Gary Peacock	Chairman, Private Property Rights & Resources Sub-Committee, Pastoralists and Graziers Association of WA (Inc.) (PGA)
Mr Patrick Pearlman	Principal Solicitor, Environmental Defender's Office WA (EDOWA)



Agenda items discussed and actions to be taken

Item	Topic	Action
1.	Welcome & apologies	
	<p><u>Welcome</u> The Chair welcomed members to the meeting of the Reforming Environmental Regulation Advisory Panel.</p> <p><u>Apologies</u> The Conservation Council of WA are an apology and are considering resourcing membership on the Panel. APLA were also an apology due to the AGM occurring in the Goldfields over the weekend.</p>	
2.	Minutes of previous meeting	
	Previous minutes were endorsed	
	Review of Action Log *Refer to Action log attached to these minutes Action Log accepted.	
3.	Agenda Items	
3.1	<p><u>Endorsement of RERAP Revised Terms of Reference (carried over from June meeting)</u></p> <p>The RERAP considered the proposed Terms of Reference for the new liaison committee. DMP proposed to disband the RERAP, and create a new liaison committee called the Environment Division Liaison Committee.</p> <p>RERAP members made suggestions which could be considered for future meetings, including:</p> <ul style="list-style-type: none"> • providing shorter attachments or summary sheet rather than entire documents as attachments • potentially focusing meetings on one or two issues • that the meetings can be scheduled to be quarterly, however should be cancelled if not required • the future meetings should include topics that are consistent with the State red tape reduction strategy. <p>RERAP endorsed the Terms of Reference with the following minor amendments:</p> <ul style="list-style-type: none"> • include that the committee can provide a forum to evaluate the success of the reform program, and • delete the word “...other...” from the first paragraph on page 1. 	DMP
3.2	<p><u>Endorsement of MAP Recommendations Completion Status Report (carried over from June meeting)</u></p> <p>The RERAP considered the updated status report on the implementation of the Ministerial Advisory Panel (MAP) recommendations. DMP discussed that the status report showed that the MAP recommendations had been substantially completed, and therefore it was deemed that the RER initiative had also been completed. DMP advised that any of the outstanding implementation matters will be delivered through DMP’s ongoing process of continuous improvement.</p>	



	<p>DMP advised that the department was likely to make announcements in the coming months related to the completion of the RER initiative.</p> <p>The RERAP:</p> <ol style="list-style-type: none"> 1) noted the status report, 2) endorsed the process for remaining implementation actions, and 3) endorsed that the RER initiative had been completed. 	
<p>3.3</p>	<p><u>Low Impact Notification Policy</u></p> <p>The RERAP were provided with an update of the preparation of the Low Impact Notification definition which will be applied through regulations as part of the amendments to the <i>Mining Act 1978</i>.</p> <p>The RERAP noted:</p> <ol style="list-style-type: none"> 1) the status of the preparation of the definition of Low Impact Notification, 2) that DMP will circulate the updated Low Impact Notification Policy to RERAP members in September for two weeks for comment, 3) that DMP will then consult with the Minister for Mines and Petroleum as to whether further public consultation is warranted before the policy is finalised. 	<p>DMP DMP</p>
<p>3.4</p>	<p><u>Regulatory Performance Measures</u></p> <p>RERAP discussed the paper on Outcomes-based Regulatory Performance Measures, which delivers on a number of the MAP recommendations. It was discussed that the need to set targets would be revisited following the implementation of the systems for recording metrics. This would enable baseline performance and performance targets to underpin long term program evaluation. Some RERAP members may provide comment on the use of the term “cumulative impacts” in the document.</p> <p>The RERAP:</p> <ol style="list-style-type: none"> 1) noted the paper, 2) agreed to provide formal feedback to DMP by 2 October 2015. 	<p>Panel</p>
<p>3.5</p>	<p><u>Transparent Relinquishment Process update</u></p> <p>The RERAP were briefed on the status of developing transparent relinquishment processes. Further information related to a detailed draft process flow diagram is expected to be provided to RERAP in September. It was discussed by RERAP members that the document would benefit from a description of this issue of relinquishment interacts with the closure planning process.</p> <p>The RERAP:</p> <ol style="list-style-type: none"> 1) noted the status of documenting the process of relinquishment 2) endorsed the proposed actions for completing the documentation process 3) requested that DMP review the draft guidance note to ensure that the terms “landuse” and “landform” are appropriately applied 4) agreed to provide comment to DMP by 30 October 2015 on the updated guidance note that will be distributed out-of-session. 	<p>DMP Panel</p>



3.6	<p><u>Declining and Refusing Environmental Applications</u></p> <p>The RERAP considered the draft policy on declining and refusing environmental applications. DMP advised that consistent terminology has been used in the draft guideline with other agencies as far as possible.</p> <p>The RERAP:</p> <ol style="list-style-type: none">1) noted the draft policy2) noted that the draft policy will be released for public consultation in October 2015,3) agreed to provide DMP any comment on the draft document by 30 September 2015.	Panel
3.7	<p><u>Reducing Regulatory Duplication and Overlap</u></p> <p>The RERAP considered the status update on progress with reviewing opportunities for reducing regulatory duplication and overlap. The work undertaken by DMP in consultation with other agencies has meant that the identification of potential duplication has been done, and DMP is working on developing or revising agreements/MoU with other agencies.</p> <p>RERAP members requested that briefings occur with industry associations on new or revised agreements between agencies.</p> <p>The RERAP:</p> <ol style="list-style-type: none">1) noted the status paper2) requested that DMP update the paper to clarify that there may be more than two options regarding the Section 24 process in the <i>Mining Act 1978</i>3) requested that DMP provide the list of lower priority duplication items to which the paper refers.	DMP DMP
4. Other Business		
	<p>As a result of the discussion at item 3.1), this meeting was the last meeting of the Reforming Environmental Regulation Advisory Panel. The Chair thanked all organisations for their support.</p> <p>DMP provided an update on the progress of the <i>Mining Legislation Amendment Bill 2015</i>. The Bill is on the Parliamentary notice papers, due to be debated on Tuesday 22 September 2015.</p> <p>The Office of the EPA advised that industry training on EMP guidelines is available on 24 September 2015.</p> <p>The RERAP:</p> <ol style="list-style-type: none">1) noted that DMP will write to the member organisations regarding the commencement of the new liaison committee and welcoming ongoing attendance from the representatives.	DMP
5. Next meeting – to be scheduled early December 2015.		