



PEEL ALLIANCE

Policy Position statement

Mining and Extractive
Industries

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Overview

Peel Alliance consists of organisations across the Peel region that are responsible for economic development, community development, regional catchment management, and local governance.

Peel Alliance members:

- City of Mandurah
- Shire of Boddington
- Shire of Murray
- Shire of Serpentine-Jarrahdale
- Shire of Waroona
- Peel Community Development Group
- Peel Harvey Catchment Council
- Regional Development Australia – Peel
- Peel Development Commission (observing member)

The Peel region supports a residential population of approximately 151,517 people and at least 673,000 overnight visitors and 2.24 million day visitors per annum. Peel sits in the Gnaala Karla Booja Indigenous Land Use Agreement, part of the South West Native Title Agreement.

Peel Alliance is guided by three pillars:

Economic Prosperity | Environmental Sustainability | Social Wellbeing

Peel Alliance is committed to proactively working to ensure that mining in our region is undertaken in a manner that upholds the region's economic prosperity, environmental sustainability and social wellbeing. Our focus is on continual improvement, enhancing collaboration and integration to ensure that the key values of the region are protected, and opportunities are harnessed in a manner that is sustainable, now and into the future.

The Alliance welcomes the International Council of Mining and Metals (ICMM) membership status of several mining entities operating in the Peel region. As members of ICMM, mining entities commit to upholding a comprehensive set of performance expectations and positions including critical areas of climate and environmental resilience, social performance, governance and transparency, and innovation for sustainability. These principles seek to maximise the industry's benefits to host communities, while minimising negative impacts to effectively manage issues of concern to society. Peel Alliance notes the ICMM focus on continual improvement, transparency and proactive engagement. This provides confidence in a shared capacity to achieve positive outcomes going forward, particularly with entities holding ICMM membership status.

Purpose

The purpose of this policy position statement is to articulate the position of Peel Alliance in relation to mining and mineral extraction in the Peel region, from an environmental, social and governance (ESG) perspective. It is intended to underpin our advocacy efforts for effective legislation, recognition of cumulative impacts and genuine engagement and participation as the host community. It asks for commitments from all levels of government and industry and may also be utilised by individual members of the Alliance to strengthen advocacy relating to matters of specific local importance. It also presents an opportunity to strengthen association with entities beyond the Peel region who share mutual interests and concerns.

Position 1 Modernised planning and legislation that is fair, consistent, and upheld through effective regulation.

Our Position

Future-focused, transparent, and effective planning and legislation is central to achieving better environmental, social and governance outcomes for the Peel region. Peel Alliance has identified processes, legislation and compliance measures that are inconsistent, do not address current environmental risk, and no longer meet community expectation.

It is our position that:

- State Agreement Acts currently operating in the Peel region do not provide adequate controls, transparency or engagement processes to provide confidence in the protection of community values or sensitive environmental assets. A lack of public information, external oversight and mechanisms for recourse prevent effective evaluation, review and/ or amendment of these Acts.
- State Agreement Acts across Western Australia are inconsistent in their commitment to host communities. Agreements in the Peel region pre-date the *Mining Act 1978 (WA)*, contemporary engagement practices, climate change projections and the South West Native Title Settlement. They lack formal acknowledgement of the need for community and social benefits to flow from Agreements and requirements to engage with key local stakeholders on an ongoing basis, as is the case in other regions.
- The current legislative environment does not effectively consider the cumulative impact of mining exploration, operations, and expansion. The Peel region hosts multiple mining operations and entities and there is a loss of community confidence in the ability of current legislation to protect the region's values, including nationally and internationally significant ecological assets. An independent review found the current operation of the EPBC Act (Commonwealth) does not effectively address cumulative impacts.^a
- Current regulatory protections are too reliant on corporate self-reporting. Inspection and penalty mechanisms lack suitable consistency and recourse, and the knowledge of local stakeholders is not utilised. This was also the finding of the WA Office of the Auditor General.^b

Our Asks

Peel Alliance suggests it is time to review and reform the existing legislative and regulatory landscape to better align with modern expectations and provide a genuine voice to the host community. We ask for:

1. **As a priority, State Agreement Acts covering the Peel region to be reviewed and amended to align with more modern agreements in WA.** Modern Agreements include formal acknowledgement of the need for community and social benefits, a requirement for the relevant local government to have a formal role in decision making, and an ongoing, monitored community development plan. This would provide consistency for both

communities and companies operating in WA and offer efficiency and consistency by reducing reactive assessments and responses.

2. **The WA State Government to design, prepare and approve a strategic assessment covering the Jarrah Forest 1 sub-region.** (IBRA v7)^c This would replace the current development of environmental and social impact statements on a project-by-project basis. We ask the Environmental Protection Authority (EPA) WA to introduce an assessment process similar to the Exmouth Gulf, which considered the potential cumulative impacts of activities and developments proposed.^d This would provide greater assurance that potential cumulative impacts are identified and avoided.
3. **Regulatory bodies (e.g. DWER and DMIRS) to introduce well-resourced compliance assessment processes that require self-reported corporate information to be independently verified.** This verification would require both use of technology such as ground monitoring and aerial imagery, and advice from regional stakeholders including Peel Alliance members and Traditional Owners. Formalising the role of local stakeholders will lead to more robust compliance mechanisms and increase community confidence in compliance.
4. **Commonwealth and WA State Government legislative review to investigate alternative regulatory options that meet current community expectations and address revised environmental risks.** At a minimum, this must address loopholes that enable avoidance and referral of small-scale proposals to the Commonwealth which ignores cumulative impact, recognition of the value of local stakeholder input and advice, and a lack of information and short timeframes provided for submission on new proposals. It should also strengthen biodiversity reporting requirements by both levels of government. In the context of a global decline in biodiversity, this will increase biodiversity protection and ensure legislation has kept pace with current scientific projections on climate change.

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Position 2 A commitment to protect the economic base of the peel region, now and into the future.

Our Position

The natural environment of the Peel region holds national and international significance and is central to the region's economy, lifestyle and sense of place. While we advocate for diversified and sustainable economic growth, this must recognise and protect the Peel region's biodiversity assets and ensure climate mitigation measures are upheld. Peel Alliance is committed to fostering sustainable development of the region for current and future generations of residents and visitors.

It is our position that:

- Ecosystem services are a key component of the Peel region's economy, underpinning tourism, agriculture and lifestyle-based population growth. The region is ideally situated to prosper in the growth and economic benefits of ecotourism including trails, however the substantial current and planned investments in this sector are not currently sufficiently protected from mining activities.
- Peel Alliance recognises mining is currently the region's second largest output generating sector and acknowledge contributions of mining companies through tax and royalty streams, direct employment and business opportunities, and sponsorships.
- Peel Alliance supports formalising new protected areas in the northern jarrah forest, as specified in [Defining and Creating New Protected Areas in the South West Forests Beyond 2024](#).^e We consider this proposal provides a balance of economic prosperity, environmental protection and social wellbeing.
- Peel Alliance accepts the findings of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) that economic policies have favoured expanding economic activity over conservation or restoration, and that biodiversity is declining faster than any time in human history.^f It is our view that the quality and quantity of environmental and social investigation work submitted by mining entities in the Peel region is inadequate to uphold true biodiversity, particular in a region with matters of national environmental significance.
- Peel Alliance accept the findings of International Panel on Climate Change (IPCC) that the northern jarrah forest in Western Australia is projected to transition or collapse and is listed as one of nine key risk areas for Australasia.^g
- Peel Alliance acknowledge that the northern jarrah forest holds significance to Traditional Owners of the Gnaala Karla Booja region and they have objected to further mining activity in the area on the basis it will be detrimental to Noongar cultural heritage, poses a threat to the natural environment and efforts to combat climate change.^h
- The natural environment of Peel region supports the lifestyle and wellbeing of current and future generations and is central to our sense of place, as articulated by communities and organisations across the region. It also plays an important role beyond the host community, particularly given its proximity to the expanding Perth metropolitan area.

Our Asks

Peel Alliance suggests the following opportunities to strengthen the sustainability of mining and extractive industries in the region. We ask for:

1. **As a priority, the WA State Government to increase protected areas in the Northern Jarrah Forests (NJF) Region.** We propose the use of areas specified in [Defining and Creating New Protected Areas in the South West Forests Beyond 2024](#) by the Beeliar Group and the Leeuwin Group of Professors for Environmental Responsibility. Formally excluding mining activities in high value areas will secure environmental and community values and provide certainty for other investments.
2. **No further expansion of mining areas in the Jarrah Forest 1 sub-region until a strategic assessment is complete.** (IBRA v7)^c Considering the projected risk of its ecological collapse, the environmental significance in this bioregion and its importance to Noongar cultural heritage, the cumulative impact on intact biodiversity is potentially irreversible. The area contains matters of national environmental significance including wetlands of international importance, nationally threatened species and ecological communities, and migratory species.
3. **As part of their Social Licence to Operate, mining companies operating in the Peel region to reassess their social spend and priorities to align with local community aspirations, strategic priorities and areas of need.** We suggest mining companies operating in the region collaborate to pool their social spend and support larger scale social programs that contribute a legacy to their host communities.
4. **A publicly accessible central record of native vegetation in Western Australia.** This should be updated regularly to track its extent and condition, including the proportion cleared in each bioregion by each sector. This will increase awareness and transparency and help prioritise government, community and private sector resources.

Position 3 transparent engagement with host communities, supported by independently verified REPORTING.

Our Position

Peel Alliance has identified that a lack of meaningful engagement with host communities about proposed and existing mining operations has led to a loss of confidence in the current process. We believe there needs to be a commitment to transparent and ongoing engagement with local stakeholders, supported by independently verified and publicly available performance reporting.

It is our position that:

- Existing State Agreement Acts in the Peel region do not recognise the host community or formalise a role for key local stakeholders, which limits the ability of Peel Alliance members to plan for and engage with our communities.
- Lengthy, legislative focussed and risk-averse consultation processes, instead of genuine engagement, have been detrimental to on-the-ground relationships between mining companies and host communities. There is a perception that public relations activities and local community experience and expectations do not align, which has led to a loss of confidence in the protection of key values of the region. Host communities remain dedicated to building robust, transparent relationships with mining companies in the region.
- The lack of independent, clear and publicly available record of company performance against regulatory requirements for new, existing and expanding mining operations has contributed to a lack of community confidence in the current processes.

Our Asks

Peel Alliance suggests the following opportunities for improvement, emphasising a shift to collaborative engagement that genuinely harnesses the insight, knowledge and values of local stakeholders and host communities. We ask for:

1. **Mining companies in the Peel region to shift approach from 'consultation' to meaningful engagement.** Peel Alliance, whose members are responsible for planning, management and governance in the region, should be regarded as a key stakeholder. Collaborative engagement also considers the cumulative impact of new and existing mining activity and would reduce duplication, facilitate timely information sharing and integrated decision-making.
2. **Fair and transparent conflict resolution mechanisms to be implemented.** Meeting legislative requirements in this area should be considered the bare minimum requirement when engaging with host communities. Formal processes are required to ensure host communities are involved in early planning as well in an ongoing, advisory role.
3. **Introduction of a publicly available central record of applications for the development of new, and expansion of existing, mining operations, including instances of non-compliance.** This measure will increase transparency and encourage greater accountability.

Reference List

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- ^d EPA (2022). Potential cumulative impacts of the activities and developments proposed for Exmouth Gulf. Environmental Protection Authority. November 3 2022.
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- ^h SWALSC (2022). Makuru edition June 2022: Our Northern Jarrah Forest. South West Aboriginal Land & Sea Council. Retrieved from: <https://static1.squarespace.com/static/56cac409d51cd4381775480d/t/62cf84421da26579d62e61eb/1657766987604/SWALSC-Makuru2022-web.pdf>