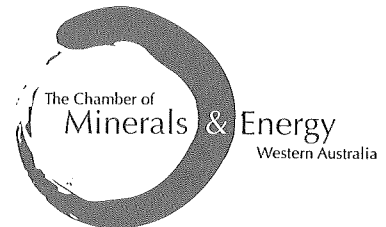


30 April 2009

Hon Donna Faragher MLC  
Minister for the Environment; Youth  
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Dear Minister

**PROTECTING THE KIMBERLEY - DEVELOPMENT OF THE KIMBERLEY SCIENCE & CONSERVATION STRATEGY**

The Chamber of Minerals and Energy of Western Australia (CME) is pleased to provide comment on the development of the Kimberley Science and Conservation Strategy. CME is keen to assist throughout the process of developing this Strategy and provide input on behalf of our members in the region.

CME is the peak resources sector representative body in Western Australia, funded by its member companies who employ an estimated 90 per cent of all mineral and energy employees in the State. A number of CME member companies have a range of interests in the Kimberley region in both the mineral and energy industries, including companies with mature operations as well as large development proposals.

The Western Australian resources sector is committed to sustainable development and recognises the importance of areas to be designated, managed and protected as part of a broader conservation strategy. However it is critical that such conservation strategies are developed consistently.

We note that this strategy is one of a number of planning processes dealing with conservation issues, not only for the Kimberley, but around the State. These include the current development of a *Regional Planning Initiative* by the WA Planning Commission; the Department of Planning and Infrastructure's *EnviroPlanning* initiative; and the Kimberley LNG strategic assessment under the *Environment Protection and Biodiversity Conservation Act 1999*. We would appreciate advice as to how these and other initiatives will be coordinated to ensure alignment of planning for conservation and natural resource management in the Kimberley.

We also emphasise that it is critical that an understanding of the resource values of the area is comprehensive and commensurate with the knowledge of the environmental values, to ensure that important resources are not sterilised.

CME believes that there is an opportunity to develop best practice land use planning on a holistic, regional basis, as distinct from more ad hoc planning processes, that arguably have not optimised outcomes for industry, the environment or the State generally.

As such, in addressing the questions posed by the call for submissions, we do not intend to identify particular areas for specific management options at this stage. Rather we would suggest a framework to do so, which would provide sound land use planning based on comprehensive information.

Broadly, CME supports land use planning based on sound science, State growth data, consultative mechanisms and sustainable development principles. In response to similar land use planning processes CME have communicated a number of general principles that planning processes should be guided by, including:

- Marine and terrestrial land use planning should be holistic with integrated consideration of social, cultural, environmental and economic values.
- Land use planning should facilitate land uses to maximise economic, social, cultural and conservation values for the benefit of current and future generations.
- Resource extraction, conservation and other land uses can be complimentary as sequential or neighbouring activities.
- Planning processes should include consultation with key stakeholders.
- Planning processes should be conducted in a timely manner, particularly where large scale investment decisions may be impacted by the planning process.
- Planning decisions that impact access and use arrangements should be ethical and transparent, and consider the social, economic and environmental implications of developing or sterilising mineral resources.
- Consideration should be given to the impact planning decisions may have on existing and proposed resource operations within and adjacent to proposed conservation areas.
- A consistent approach for the evaluation, designation, classification and management of areas listed for protection is needed to ensure consistency of approach to land access decisions.
- Planning systems should be transparent, rigorous, based on scientific and cultural understanding, backed by legal controls, and should contribute to the equitable resolution of different land-use, conservation and development objectives.

CME strongly advocates that a strengthened and more strategic land use planning process that takes account of all regional land values will greatly assist regulatory and development approvals processes in Western Australia, as well as achieving strong conservation outcomes.

With regard to practical initiatives to preserve the region's ecological integrity, CME members in the region have a range of strategies in place as part of their commitment to prevent, minimise, mitigate and remediate environmental harms of resources operations. Activities are assessed and monitored according to Government regulations and approvals, which comprehensively address issues such as: protection of species, conservation of water and energy, and preservation of heritage sites.

Resources companies' commitments also extend to the communities in which they operate and engagement with Indigenous people in the Kimberley, through education, training and business development opportunities.

CME suggests that opportunities to further engage Indigenous people in conservation work and joint management are best managed through established, coordinated programs where these already exist, to ensure the best use of resources. For instance, CME is currently participating in the development of the *Working in Partnership* program for the Kimberley region, which is developing employment strategies for Indigenous people. This program, as well as others that may already be in place for the Kimberley, would be useful starting points to develop these opportunities in conservation and land management.

We would be pleased to discuss any of the matters raised further with you. Should you have any questions or require further information, please contact Aileen Murrell, Assistant Director on (08) 9220 8507 or [a.murrell@cmewa.com](mailto:a.murrell@cmewa.com)

Yours sincerely



 **Reg Howard-Smith**  
Chief Executive