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**DRAFT REPORT ON THE IMPLEMENTATION OF ESD BY
COMMONWEALTH DEPARTMENTS AND AGENCIES**

I am writing, on behalf of the Australian and New Zealand Minerals and Energy Council (ANZMEC), to provide comments on the draft report released by the Productivity Commission on 24 February. ANZMEC has previously made a submission addressing the issues paper.

ANZMEC welcomes Recommendation 7. 1, that relevant ministerial councils should inform each other of ESD issues relevant to them. We note that work has commenced in this direction. The Australian and New Zealand Environment Conservation Council (ANZECC) convened a workshop on cooperative arrangements between Ministerial Councils in August 1998. That workshop, attended by nine Ministerial Councils, agreed that the most basic requirement for increasing communications is that Councils are aware of the issues that are on each others' agendas. Participants decided that there would be benefit in circulating agenda papers among Councils prior to Officials and Ministerial meetings.

Since then the Standing Committee of Officials for ANZMEC has agreed to circulate agendas to other Ministerial Councils (including ANZECC) prior to its meetings, to ensure that they are aware of the issues being addressed by ANZMEC. We await a similar decision from other councils.

More recently, the chairs of ANZMEC's two environment taskforces, the Technical Environment Taskforce and the Land Access (Environment) Taskforce, met in Hobart with the Chairs of ANZECC's Standing Committee on Environment Protection and Standing Committee on Conservation. The meeting discussed issues of joint interest and identified specific areas which may benefit from increased cooperation, including

Commonwealth environmental legislation. It was agreed that agendas would be exchanged via the respective Secretariats and informal contact would be developed with relevant local task force representatives.

While ANZMEC accepts the need for continuous improvement of Ministerial Council processes, it does not support Recommendation 7.2, that the Commonwealth consider ways to improve Council processes with respect to ESD. In our view, it is up to the Councils themselves and the Council of Australian Governments (COAG) to consider improvements in their operations, rather than the Commonwealth or any individual jurisdiction.

In relation to Recommendation 7.4, ANZMEC notes that the ABS has recently established the Mineral Statistics User Advisory Group. There are similar groups for other industries. We expect that any work by the Australian Bureau of Statistics on measurement protocols, standard classifications and the like which impact on the mineral industry would be in full consultation with relevant working groups.

In relation to Recommendation 7.5 relating to a framework to facilitate performance measurement of policies in such areas as environment and natural resource management, ANZMEC believes that any such framework for performance measurement should be linked to the National State of the Environment (SoE) reporting process. The SoE reporting process provides an integrated assessment of the measurement and performance of the outcomes of Government ESD decision making on the environment. The information compiled under the SoE process could be integrated with relevant Australian Bureau of Statistics measurement protocols, standards and data, to provide a basis for monitoring the various aspects of ESD implementation. In addition the recommendation should reflect that the lead role should not be always with the Commonwealth but should reflect the jurisdiction with oversight of the programs involved. In some cases this would be the Commonwealth, in others it would be all jurisdictions via either COAG or one or other Ministerial Council, and in others it would be an individual State or Territory.

In relation to the Commission's request for information on proposals for a voluntary code of conduct, independent Commission for ESD etc, ANZMEC sees little need for these.

ANZMEC is particularly opposed to a National Council for Sustainable Development or an independent commission for the environment or sustainable development. As the report makes clear, ESD implementation is about policy development and decision-making processes, which address short and long term economic, social and environmental impacts. It is relevant to all Commonwealth departments and agencies and, indeed, all government and commercial organisations and the community generally. In our view, a separate Commission has the potential to hamper, rather than promote, ESD implementation by Commonwealth departments and agencies.

Voluntary codes of conduct and/or a statutory a duty of care are, in our view, unnecessary given the commitments of all Australian governments to the National

Strategy for Ecologically Sustainable Development (NSES D) and existing governmental processes. A review of the NSES D involving all stakeholders and departments/agencies may, however, be appropriate at some stage. If undertaken, such a review should involve wide consultation including Ministerial Councils and State/Territory governments.

In ANZMEC's view, it needs to be recognised that ESD implementation involves better integration of economic, social and environmental considerations among Commonwealth, State and local governments, industry, science, environmental groups and the broader public. This can only be effected in partnerships between governments and between governments, the private sector and the broader community. Commonwealth agencies are, frequently, not the best placed to tackle local economic, environmental and social issues.

ANZMEC's position concerning recommendations 7.1, 7.2 and 7.4 has been agreed, at departmental level, between all Australian jurisdictions. Its position regarding recommendation 7.5 and the Commission's proposals for a National Council for Sustainable Development, voluntary codes of conduct and/or statutory duty of care regarding implementation of ESD are not supported by NSW, which considers that these matters raise significant issues requiring further analysis and discussion before a definitive position is taken by ANZMEC.

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12 April 1999