

LEGISLATIVE COUNCIL
Question On Notice

Tuesday, 19 November 2019

2669. Hon Robin Chapple to the Minister for Regional Development representing the Minister for Mines and Petroleum

I refer to the Government's implementation plan on fracking, and I ask:

(a) according to Action 2, the Government will "Define, and identify 'places of iconic natural heritage' within, and in the vicinity of, onshore petroleum titles existing as of 26 November 2018." and "Release proposed list of 'places of iconic natural heritage' for public comment and feedback via the Implementation Plan website." by October 2019. Has the Government done this;

(b) if no to (a), why not;

(c) if no to (a), when will the Government release the proposed list of "places of iconic natural heritage" for public comment and feedback via the Implementation Plan website;

(d) according to Action 3, the Government will "Ensure appropriate and adequate community consultation for acreage releases associated with hydraulic fracturing." by October 2019. Has this been done;

(e) if no to (d), why not;

(f) if no to (d), when will this be done;

(g) according to Action 4, the Government will "Develop a hydraulic fracturing stakeholder engagement and consultation guide covering whole of project lifecycle for industry and Government." and "Determine stakeholder engagement and consultation opportunities in a project lifecycle." and "Draft hydraulic fracturing stakeholder engagement and consultation guide." and "Release the draft guide for public comment and feedback via the Implementation Plan website." by October 2019. Has the Government released the draft guide for public comment and feedback via the Implementation Plan website;

(h) if no to (g), why not;

(i) if no to (g), when will this be done;

(j) according to Action 5a, the Government will "Introduce a requirement for consent of relevant Traditional Owners before hydraulic fracture stimulation production is permitted." and "Release draft process and procedure documentation for considering Traditional Owners' consent via the Implementation Plan website" by December 2020. When will the Government release draft process and procedure documentation for considering Traditional Owners' consent via the Implementation Plan website;

(k) according to Action 12 the Government will "Establish a central point of contact within Western Australian Government agencies for hydraulic fracture stimulation non-compliance complaints." and "inform stakeholders via the Implementation Plan website once the action is completed.". Has this action been completed and when was it put on the Implementation website;

(l) if the action in (k) has not been completed, why not, and when will it be completed;

(m) according to Action 16 the Government will "Ensure better separation of the auditing and compliance, and the promotion of the petroleum industry." by April 2019. Has this action been undertaken and when were stakeholders informed about the change via the Implementation Plan website;

(n) if Action 16 has not been completed, why not; and

(o) if Action 16 has not been completed, when will it be completed?

(a) – (o)

The State Government published its first progress report on the Implementation Plan website on 31 October 2019, providing an update of progress on all actions. *See tabled paper []* for a copy of that progress report, which is freely available via the Government's dedicated website for communicating updates relating to implementing Government's policy on hydraulic fracture stimulation.



MINISTER FOR MINES AND PETROLEUM

28/10/19

Sourced from: <https://www.hydraulicfracturing.wa.gov.au/updates/>

For updates on individual Implementation Actions please visit Implementation Progress.

31 October 2019

September Quarter 2019 Update

In July 2019, the Government released its Implementation Plan. The Implementation Plan describes the actions required to implement the Inquiry's recommendations and the Government's Policy Decisions, which include substantive changes to the way hydraulic fracturing is regulated in the State.

These Policy Decisions include:

- lift the hydraulic fracture stimulation moratorium on all onshore petroleum titles existing as of 26 November 2018; and maintain the ban over the South-West, Peel and Perth Metropolitan regions (Implementation Plan Action 1);
- ban hydraulic fracture stimulation in national parks, the Dampier Peninsula, and other iconic natural heritage areas (to be defined and delineated on maps) (Implementation Plan Action 2);
- introduce a requirement for consent of relevant Traditional Owners and private landowners before hydraulic fracture stimulation production is permitted (Implementation Plan Action 5a / 5b);
- restore the 10 per cent royalty rate for all onshore petroleum (Implementation Plan Action 17);
- establish a Clean Energy Future Fund (with a \$9-million seed allocation), using net royalties from onshore hydraulic fracture stimulation petroleum projects, to support facilitation of clean energy developments (Implementation Plan Action 18); and
- prohibit hydraulic fracture stimulation within 2,000 metres of gazetted Public Drinking Water Source Areas (Implementation Plan Actions 2 & 7).

To date, three Actions (1, 12 and 16) have been completed, and implementation of the remaining 17 Actions is progressing well.

Completion of Action 1 included amendments to Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Regulations 2017. The amendment regulations:

- lifted the hydraulic fracturing moratorium on the areas of the State covered by existing *Petroleum and Geothermal Energy Resources Act 1967* exploration permits, retention leases and production licences in force on 26 November 2018;
- extended the moratorium indefinitely across the rest of the State; and

- banned hydraulic fracturing in the Dampier Peninsula, national parks, gazetted public drinking water source areas and an area within 2,000 metres of gazetted public drinking water source areas.

These regulations ensure hydraulic fracturing will not be permitted over 98 per cent of Western Australia.

Proponents considering hydraulic fracturing on onshore petroleum titles where the hydraulic fracturing moratorium has been lifted are able to self-refer to the EPA, however assessment will be undertaken in parallel with the implementation of the remaining 17 Actions.

Proponents will not be permitted to commence hydraulic fracturing exploration until the WA Code of Practice has been developed, and hydraulic fracturing production will not be approved until Traditional Owner and private landowner consent requirements have been implemented.

For updates on individual Implementation Actions please visit [Implementation Progress](#).