



**The Commercial Egg Producers'**  
**Association of Western Australia (Inc)**

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**Submission:**

**Inquiry into the Implications for Western Australia of  
Hydraulic Fracturing for Unconventional Gas**

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**Prepared by:**

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**Submitted to:**

WA Legislative Council  
Standing Committee on Environmental and Public Affairs  
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## **BACKGROUND**

### **About The Commercial Egg Producers Association of WA (Inc)**

The Commercial Egg Producers Association of Western Australia (Inc) (CEPA) is the leading representative body for Western Australian commercial egg producers. CEPA members produce approximately 85 per cent of eggs in Western Australia. The majority of commercial egg producers in the State are members of CEPA.

### **The Objectives of CEPA are to:**

1. To proactively represent and promote the best interests of Commercial Egg Producers in dealings with Government, non-government bodies and their representatives.
2. To secure uniformity of action on matters affecting the common interest of Commercial Egg Producers.
3. To promote and uphold industry codes of practice for animal welfare, quality assurance, bio-security, environmental, labelling and transport of live poultry.
4. To promote the consumption of Western Australian laid eggs.

### **CEPA is a member of:**

- WA's leading State farm lobby group The Western Australian Farmers Federation Inc.
- Egg Industry national peak body Egg Farmers of Australia Inc.
- The Royal Society for the Prevention of Cruelty to Animals WA (RSPCAWA) Inc.
- Department of Agriculture and Food WA Buy West Eat Best program
- Egg industry Research, Development and Marketing Company, The Australian Egg Corporation Ltd.

### **Egg Production in Western Australia**

There are 186 registered businesses in Western Australia (WA) that produce eggs. Only 30 produce eggs as their primary business which represents 99% of total WA egg supply. The WA egg industry only supplies 66% of eggs sold in WA meaning 34% of eggs are supplied from interstate.

### **SUBMISSION BACKGROUND**

The Western Australian Legislative Council Standing Committee on Environmental and Public Affairs commenced an inquiry into the implications for Western Australia of hydraulic fracturing for unconventional gas, otherwise known as "fracking".

On 7 August 2013, the Committee resolved to inquire into and report on the implications for Western Australia of hydraulic fracturing for unconventional gas. This submission is based on the areas that the Committee is looking at as follows:

- a) how hydraulic fracturing may impact on current and future uses of land;
- b) the regulation of chemicals used in the hydraulic fracturing process;
- c) the use of ground water in the hydraulic fracturing process and the potential for recycling of produced water; and
- d) the reclamation (rehabilitation) of land that has been hydraulically fractured.

### **1) How hydraulic fracturing may impact on current and future uses of land**

- Currently, WA laws prohibit farmer's ability to have a right of veto to prevent unwanted gas mining on their land. Most egg producing enterprises in Western Australia are small in area and as such, utilised in a very efficient way. Should a mining operation need to take place on the producer's property, it would render a big proportion of their enterprise unviable.

#### Questions:

- Why land owners do not have the right of veto over the use of their land.
- Who is liable for compensation for unusable land, for contaminating the land and water of the land?
- Will the mining permit holder have the right to order the producer to tear down their production sheds for the purpose of gas mining?
- What compensation will be offered to the landowner?
- Who will determine the amount for which the producer will be compensated for and for how long?
- What research has been done and to what confidence level that water will not become polluted as a consequence of fracking?
- Who will police water quality and for how long?
- Who will be responsible for its clean up to original status?
- Egg producers rely heavily on access to good quality ground water for their operations. Will producers be left with water that is unusable for domestic stock? Impacting on the whole operation of the business?
- Who will police the applications and ensure that the mining companies are given the appropriate responsibilities and meet all requirements?
- Will there be an ombudsman or similar body whereby disputes can be resolved and processes improved for whole of community benefit?
  
- Should fracking take place on an egg producing enterprise there will be, reduced access to groundwater, reduced property value, reduced land productivity and possibility of land and/or water contamination.
  
- The terms of reference should have included agricultural land impact for broad acre, horticulture and intensive industries to assess the risks and possible consequences.
  
- There is limited knowledge by the general community on the risks and merits of fracking. An educational, balanced education campaign would benefit the topic.

- Currently there is push by the supermarket giants to purchase only cage free eggs. If that is to pass, industry will be forced to move onto broad acre sites and come in contact increasingly with any future fracking industry.

## **2) The Regulation of chemicals used in the hydraulic fracturing process**

- Egg producers are in the business of producing good quality, health eggs from healthy hens who need good nutrition and healthy clean water. Egg businesses are governed by strict Quality Assurance Programs which are third party audited. Should the ground or water quality be affected by fracking due to the chemicals used, there is a real possibility of affected businesses losing their organic status (if applicable) of being forced off the land.

### Questions:

- Who will approve, regulate and monitor chemicals used in WA for the purpose of fracking?
- Who will be responsible for the “clean up” and compensation as a result of chemical contamination of land or water and for how long?
- Who will be responsible for the compensation for loss of income to the producer should the business be negatively affected by fracking?

## **3) The use of ground water in the hydraulic fracturing process and the potential for recycling of produced water**

- It is doubtful that water used for the purpose of fracking be used for the purpose of providing that water to the egg enterprise.

## **4) The reclamation (rehabilitation) of land that has been hydraulically fractured**

- The property owner would expect that land used for the purpose of fracking would be returned to its original status, or at least as close of possible. Also, if infrastructure had to be removed for the purpose of fracking, compensation for loss of income as a result of not having infrastructure would be seen as a reasonable compromise.

## **5) CONCLUSION**

Thank you for the opportunity to comment on this paper. CEPA looks forward to commenting on any other papers that may be generated as part of this document in the future.

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