



# PUBLIC

Nik Wevers

Hon Brian Ellis MLC  
Chairman  
Standing Committee on Environment and Public Affairs  
Parliament House  
Perth, Western Australia 6000

10<sup>th</sup> December, 2010

Dear Sir,

Thank you for your correspondence of 11<sup>th</sup> November, 2010. My submission is as follows.

I have not taken this complaint to the Parliamentary Commissioner for Administrative Investigations (Ombudsman). Reference is made to the Agreement as outlined in the Petition:

1. Dot point 1

'do not support an industrial or LNG hub at James Price Point'

It has not been reported by the State, a consideration of, "The process for selection of the Precinct will consider feasible alternatives to locations of the Precinct outside of the Kimberley region"<sup>1</sup> and in the Short-Listing process requires "An analysis of technically and economically viable gas processing options outside the Kimberley, focussing on locations that already have substantial industrial infrastructure, inclusive of floating LNG;"<sup>2</sup> The community believes that there has been insufficient analysis and reporting on alternatives and little or no consultation with people who are not Traditional Owners. James Price Point is not supported for social, environmental, cultural and heritage reasons.

2. Dot point 2

'are concerned about the lack of broad consultation with the Broome community'

The Department of State Development held various workshops with stakeholders, those attending were usually by invitation only and primarily staff from other Government Departments and Agencies. It is acknowledged that the Kimberley Land Council held many workshops for Traditional Owners and other Indigenous people. So a significant proportion of the population has been left out of this consultation. Further as the State Government is a participant in the Ministerial Council on Mineral and Petroleum Resources one questions whether the "Principals for Engagement with Communities and Stakeholders" has been achieved with the current process?<sup>5</sup>

3. Dot point 3

'are concerned that no formal and direct consultation by the State Government as the Project Proponent has occurred'

There is concern that the Government has not explained to the general public sufficiently, how it can be the Project Proponent and the assessor of the Project at the same time.

The community's experience to date of consultation by the Government consists of:

- a) Selective workshops as described above
- b) The Department of State Development Office based in Broome but has not been staffed. An Open Day was held at this office where questions and answers were not planned and then only taken, under duress from the crowd. People were asked to put comments on 'post it' notes which were then stuck on a wall.
- c) The Department of State Development participated in the Shire of Broome's Public Open Day and Forum. Individuals could ask questions at each of the stalls and there were a number of speakers. The forum did

not take questions from the crowd. The Department of State Development also had a 'comment wall' for more 'post it' comments, on both occasions people were assured that their comments would be addressed and would go into the social impact assessment volume 2. This volume has now been published and does not include all of the comments nor have they been addressed. Further, I think it's insulting to the community to refer to it as comments from a "Graffiti Wall" Is that the measure of consideration that the Government gives to the community's opinion?<sup>3</sup>

- d) 12 advertisements – 'Community Updates' were published in the Broome Advertiser 23 July to 17 December, 2009, with the name changing of the Precinct (no explanation) in the last two updates. This is referred to as Stakeholder Consultation in Volume 2.<sup>4</sup>
- e) North West Expo and Shopping Centre displays at the Boulevard and Paspaley Shopping Centres – where 165 questionnaires were filled out.
- f) DSD website

The above is extremely limited in direct consultation as required by the Agreement see the Terms of Reference Part 11 and in particular 11 a) "...directed engagement....." and 11d) "...documented response..". To this end the quality of community consultation and the responses should be reviewed to make sure that it, at the minimum, meets the requirements of the Agreement.

#### 4. Dot point 4

'are concerned at the limited period the strategic assessment will be available for public comment'

The Strategic Assessment will be released on Monday 13<sup>th</sup> December, 2010 and it is to be open for public comment for 12 weeks (to 8<sup>th</sup> March 2011?) This unfortunately is at the start of our 'wet' season and everyone's Christmas New Year break. This is usually the time of the year when there is an exodus of people South and East until the end of January. When the Northern Development Taskforce reports were out for comment for 4 weeks, many people in the community objected at the time to the short time frame. Given that this is such a large project, likely to be the largest in the State, the community must have a reasonable opportunity to read, digest, discuss, debate and research the Strategic Assessment and the projected impacts on the community. The documents are very large, apparently 6 volumes plus 5000 pages of appendices, that takes some reading once the public have accessed the report hopefully in suitable formats. An extra period of two months should be added to the public comment period to take account of Broomes' population movements, the wet season and also the issue of numerous other State Government plans currently competing for comment, for example Kimberley Marine Parks, Kimberley Regional Water Plan, Broome Water Reserve Drinking Water Source Protection as well as the Notices of Intention To Take Land (compulsory acquisition) at James Price Point.

Thank you for giving me the opportunity to make this submission, I urge the Committee to review the quality and directness of community engagement, as determined by the Agreement and to recommend an extension to the public comment period for the Strategic Assessment Report.

Yours sincerely,



Nik Wevers

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Section 146(1) Agreement between the Minister for the Environment, Heritage and the Arts on behalf of the Australian Government and the Western Australian Minister for State Development and the Minister for the Environment and Climate Change on behalf of the Western Australian Government relating to the Strategic Assessment of the impacts of actions under the Plan for the Browse Basin Common User Liquefied Natural Gas Hub Precinct and associated activities dated 6 February, 2008.

<sup>1</sup> Item 4.6 page 3      <sup>2</sup> Attachment B Terms of Reference Section 4 dot point 7

Browse LNG Precinct Strategic Social Impact Assessment Volume 2: Assessment of Impacts and Specialist Studies November 2010

<sup>3</sup> page 30      <sup>4</sup> Annexure C page 104

<sup>5</sup> Ministerial Council on Petroleum and Resources