



**Minister for Environment; Disability Services
Deputy Leader of the Legislative Council**

Our Ref: 62-05244

Hon Matthew Swinbourn MLC
Standing Committee on Environment and Public Affairs
Legislative Council Committee Office
Parliament House, 4 Harvest Terrace
WEST PERTH WA 6005

Dear Mr Swinbourn *Matt*

Thank you for your correspondence, received in this office on 11 December 2017, regarding Petition No 30 – WA fracking inquiry.

Consistent with the McGowan Labor Government's election commitment, a ban on hydraulic fracture stimulation (fracking) in the Perth Metropolitan, Peel and South West regions is in place, together with a moratorium on fracking over the balance of the State.

On 8 December 2017, the State Government gazetted the Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Regulations 2017. These regulations provide for a permanent ban in the Perth Metropolitan, Peel and South-West regions, and a moratorium for the rest of the State until 30 June 2020.

An independent scientific panel inquiry into the effects of hydraulic fracture stimulation in Western Australia is also being undertaken. The scientific inquiry will undertake an assessment and report on the potential impacts arising from the implementation of fracking on the environment of Western Australia, outside of the Perth metropolitan, Peel and South-West regions.

The Terms of Reference for the scientific inquiry has been approved by Government and been developed within the scope of the *Environmental Protection Act 1986* (EP Act) under which the inquiry has been established. The EP Act provides for a scientific inquiry to consider potential impacts on the environment, and any material harm that those impacts may in turn have on the social surrounds (including heritage, human health and safety) and beneficial uses of that environment.

The scope of the EP Act does not extend to considerations of harm to social or economic values that do not arise directly or indirectly from degradation, pollution or loss of physical or biological values.

Taking into consideration the scope provided by the EP Act, the inquiry will:

- identify environmental, health, agricultural, heritage and community impacts associated with the process of hydraulic fracture stimulation in Western Australia, noting that impacts may vary in accordance with the location of the activity;
- use credible scientific and historical evidence to assess the level of risk associated with identified impacts;
- describe regulatory mechanisms that may be employed to mitigate or minimise risks to an acceptable level, where appropriate;
- recommend a scientific approach to regulating hydraulic fracture stimulation; and
- hold community meetings in Perth, and the Midwest and Kimberley regions.

It is the intent for the inquiry to primarily consider the impacts of hydraulic fracturing *per se*, together with those processes that are by necessity associated with its application beyond conventional gas development, over the full life-cycle of development, operations and closure.

Along with the community meetings, the public will have the opportunity, over a four-month period, to provide a submission to the inquiry, which will be considered by the Panel. This ensures that the public are able to participate in matters concerning the environment.

All submissions will be made publicly available on the fracking website <https://frackinginquiry.wa.gov.au/> to ensure that the inquiry is a transparent process.

Please note that a two-year inquiry was undertaken into the implications of hydraulic fracture stimulation for Western Australia in 2015. It is considered that this inquiry was robust and thorough, and it recommended that a scientific inquiry be undertaken. The scientific inquiry does not include an assessment on social and economic matters and alternatives to fracking in the form of renewable energy.

Thank you for bringing this matter to my attention.

Yours sincerely



Hon Stephen Dawson MLC
MINISTER FOR ENVIRONMENT

23 JAN 2018