

NORTH WEST SHELF EXTENSION PROPOSAL — ASSESSMENT

1835. Hon Dr Brad Pettitt to the Leader of the House representing the Minister for Aboriginal Affairs:

- (1) (1) As part of the assessment of the cultural heritage impacts of the North West Shelf extension, will the Commonwealth consider whether free, prior and informed consent and other relevant principles of the United Nations (UN) Declaration on the Rights and Interests of Indigenous peoples have been met by the proponent?
- (2) (2) if no to (1), why not?
- (3) (3) if yes to (1), how will these principles be considered in the assessment process and what criteria will be applied?
- (4) (4) can the Minister provide an overview of the cultural heritage impacts that are in scope of the current assessment of the North West Shelf extension?
- (5) (5) in relation to (4), does this include cultural heritage impacts of the gas field developments that are required to supply the North West Shelf into the future, for the life of the development?
- (6) (6) if no to (4), and (5), why not?
- (7) (7) if yes to (4), and (5), what gas fields or reserves are being considered as part of this assessment?
- (8) (8) does the Government consider that impacts to cultural heritage in the Kimberley as a result of development of the onshore Canning Basin to supply the North West Shelf facility are relevant considerations for assessment?
- (9) (9) if no to (8), why not?
- (10) (10) what conditions for the protection of cultural heritage currently apply to the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC) approval for the Pluto LNG facility?
- (11) (11) does the Commonwealth agree with the recent advice of the State EPA, that the state cultural heritage conditions for the Pluto LNG facility are inadequate?
- (12) (12) if no to (11), why not?
- (13) (13) will the Commonwealth review the conditions on the Pluto LNG facility under the EPBC Act to ensure that cultural heritage impacts from the project are acceptable?
- (14) (14) if no to (13), why not?
- (15) (15) are the cultural heritage impacts of processing Scarborough gas at the Pluto LNG facility and using Scarborough gas at the Perdaman ammonia facility considered relevant indirect consequences within the scope of the the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) assessment of the Scarborough offshore gas development according to the EPBC indirect consequences policy and NOPSEMA's environment regulations?
- (16) (16) if no to (15), why not?
- (17) (17) if yes to (14), when will they be assessed by NOPSEMA?

Hon Sue Ellery replied:

- (1)–(3) Please refer to the Minister for Energy, Environment and Climate Action.
- (4) The assessment of the initial North West Shelf project identified numerous Aboriginal heritage sites and places which are recorded on the Department of Planning, Lands and Heritage database. Any extension or development to the North West Shelf project and the surrounding areas will require an assessment of the impact or interaction that the extension or development may have on these sites and places under the *Aboriginal Heritage Act 1972*. Murujuga has numerous important Aboriginal cultural heritage sites, including extensively recorded and monitored petroglyphs (rock art).

The Department of Water and Environmental Regulation is conducting ongoing scientific studies to monitor any impact from gas emissions on the petroglyphs. No specific scientific results have determined any damage or potential impact to Aboriginal heritage from the North West Shelf project to date.

Any new works, such as plant infrastructure, that may alter or impact Aboriginal heritage, requires an authorisation and this specific activity will be assessed through the section 18 application process under the *Aboriginal Heritage Act 1972*.
- (5) Yes.
- (6) Not applicable.

- (7) As an overall project assessment, any of the gas fields, as identified within the North West Shelf project would have the impact assessed under the *Aboriginal Heritage Act 1972*, if the activity and works intersect or interact with an Aboriginal heritage site.
- (8) Any potential or actual impact to Aboriginal heritage will be addressed under the *Aboriginal Heritage Act 1972*.
- (9) Not applicable.
- (10)–(17) Please refer to the Minister for Energy, Environment and Climate Action.