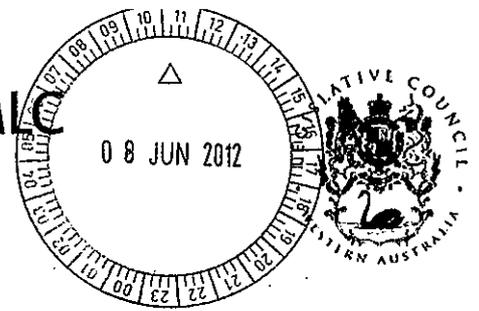




# Hon Alison Xamon MLC

BA, LLB, Cert IV HS

Member for the East Metropolitan Region



Hon Brian Ellis MLC  
Chair, Environment and Public Affairs Committee  
GPO Box A11  
Perth WA 6837

Dear Chair,

## Re Petition 155 – Hydraulic fracturing for unconventional gas

Thank you for offering the opportunity to provide a submission on Petition 155, which calls for a moratorium on hydraulic fracturing (fracking) for unconventional gas, until certain conditions are met around transparency of regulation, environmental safety and landowner rights.

The community holds a number of concerns around hydraulic fracturing that have not been assuaged by the public relations initiatives of industry or the Department of Mines and Petroleum.

The sort of evidence of safety that the community is reasonably calling for has not been provided here, or indeed anywhere – countries, states and towns around the world are concerned enough about the evidence that is available that fracking has been banned in France, Bulgaria and in individual States and Townships in the USA.

High-pressure hydraulic fracturing is a relatively new technology and that has been undertaken to access unconventional gas comparatively few times in Western Australia.

The regulatory regime overseeing fracking was found to be severely lacking by a third-party review commissioned by the Department of Mines and Petroleum (DMP). The recommendations arising out of that review and the action undertaken by the DMP are excellent beginnings, but do not meet the needs of the community. They fall short in several areas, including public transparency.

Of critical concern is the lack of transparency surrounding all aspects of the regulation of this industry. At this point in time, the public is not allowed to know:

- The specific studies used to define the current environmental state of a project area
- The proponent's risk management plan
- The lack of specific detail about the chemicals being used in fracturing activities and their potential impacts on human health
- The results of monitoring of well-integrity, pond-integrity and air-quality – or even if that monitoring will be required
- Any accidents or spills that may have a detrimental effect on the environment
- Suspension and shut-down plans for individual wells and/or entire fields
- Post-shut-down monitoring results
- Waste-water disposal
- Site clean-up

62 Eighth Avenue Maylands WA 6051

Telephone: 9272 1718 Fax: 9272 1719

alison.xamon@mp.wa.gov.au

www.alison.xamon.org.au

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Given the likelihood of co-location of these types of activities on farming land in the mid-West and the South-West, this is vital information for land-owners (and other parties down-gradient, down-stream and down-wind) that could be affected by any potential environmental damage to be aware of.

Combined with this lack of transparency is the lack of rights that landowners have over what drilling and fracking activity will occur on their land. All that they are entitled to is 'adequate compensation'.

No right to refuse fracking combined with no right to know about the technical details and any specific risks of each particular well is deeply concerning and not something we expect to find happening in a modern democracy.

There is no opportunity whatsoever for these landowners to give their informed consent, yet these same landowners have to live with substantial changes to their farming lifestyle and ever present fear that if there is a slow leak or accident, they are not entitled to know what has happened and what the impact on their property has been. They may never know unless and until there are noticeable health effects. This is simply not acceptable.

The specific concerns about water contamination, either through the chemicals added to the fracking water, or through methane contamination cannot be adequately assessed by the community without access to the information held by the Department of Mines and Petroleum and by industry.

Concerns about water tables dropping must be understood as both a concern about the level of current knowledge about the inter-connectedness of aquifers in these areas and as a concern about the increasingly fierce competition for water in the mid-West. The combined impact of increasing demand from mining and from the likely unconventional gas industry, combined with climate change and a lack of Government policy and direction that takes into account the needs of agricultural users is disturbing. These combined demands on water need to be assessed and planned for in a way that supports our agricultural communities.

The New South Wales Parliament saw fit to self-assign an inquiry into Coal Seam Gas to address many of the same concerns about equity, water and health that have arisen in Western Australia in relation to these other forms of unconventional gas exploration.

I urge the Committee to look into the issue of regulatory transparency and the wider concerns regarding the impact of fracking on our agricultural communities and our environment. The Department of Mines and Petroleum must not only regulate, but be seen to be regulating.

Yours sincerely,



Hon Alison Xamon MLC  
Member for East Metropolitan

7 June 2012

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