

To the: Select Committee on Unconventional Gas Mining

5 January 2016

from

Dr Pauline Roberts
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Dear Select Committee

Reference: Select Committee on Unconventional Gas Mining

I refer to your request for submissions regarding Unconventional Gas Mining. I understand that the committee is to inquire into the adequacy of Australia's legislative, regulatory and policy framework for unconventional gas mining including coal seam gas (CSG) and shale gas mining, with reference to the following:

a. a national approach to the conduct of unconventional gas mining in Australia;

How does this 'national approach' overcome the fact that the Federal government never has the final say in mining decisions unless under obscurities in the EPBC Act which both latest Federal governments have tried to water down and make useless? So there IS no feasible national approach unless State governments are involved and this is often the 'get out clause' used by Federal government. State governments are not so coy, they promote mining at every juncture regardless of their own scientific advice, external environmental and scientific lobbying and community protests AND Federal senate committee recommendations. Now apparently the State and Federal governments do not like national lobbying and national community protests – somewhat ironic in your call for a national approach to this industry.

b. the health, social, business, agricultural, environmental, landholder and economic impacts of unconventional gas mining;

How on earth can you assess the impacts of unconventional gas mining, or any other mining, if data rich, contextual baseline studies of each sector are not carried out BEFORE any mining or indeed exploration (the deleterious effects of which have also been detailed internationally) has occurred. Without baseline studies, undertaken at arms length by independent researchers (is there such a thing?), history shows us that the miners blame the farmers for any environmental damage and the farmers blame the miners whilst the miners keep on mining regardless. Meanwhile, those that are aware, repetitively submit to Select Committees – of their own free time – with suggestions of who to make things better. (see also point j)

So, to recap, setting 'the most stringent environmental conditions' after the fact – laughingly called 'world's best practice' – is completely useless if you don't have before-exploration/mining, thorough, time-consuming, multi-annual, independent and costly benchmark studies detailing the current health (for example) of populations involved. How do you know what damage you've done otherwise? Then repeat stringently for all other categories cited to get the true 'before mining' picture and assess.

c. *government and non-Government services and assistance for those affected;*

You are kidding. This government can't even help our returning war veterans properly although it can spend untold millions on war commemorations and jollies. If we can not help these distressed people – who have fought for their country - appropriately, helping forgotten farmers and blockies who've had their mental and physical health destroyed by (in this case) unconventional gas mining – as well as their farming - is never going to get more than lip service. The Hunter Valley has some horrendous health statistics and Stingelton couldn't even get a proper air monitor system for its 21,000 residents because there weren't 23,000 of them. I have not seen Government assistance for those affected by mining. To date, I have seen only Government bullying and harrasment of people on their own land.

d. *compensation and insurance arrangements;*

Without baseline studies, how exactly is this going to work?

e. *compliance and penalty arrangements;*

See above, and also the systematic reduction of environmental agencies, their staff and their powers to censure mining activities. You can't have (the ridiculous) 'world's best practice' and 'the most stringent environmental conditions' if you don't have the people and the power to monitor complaince because corporations can not be trusted to do the right thing. *Governments* – in the case of mining, poachers turned gamekeepers - are not trustworthy. Just ask public servant whistleblowers what happens to them!

f. *harmonisation of federal and state/territory government legislation, regulations and policies;*

Never going to happen, too many vested interests.

g. *legislative and regulatory frameworks for unconventional gas mining in comparable overseas jurisdictions;*

So the *science* carried out internationally clearly showed the impacts of CSG mining in areas detailed in point b above – health etc – and we still went ahead with the mining. Why do you think we would take any notice of overseas legislative and regulatory frameworks?

h. *the unconventional gas industry in Australia as an energy provider;*

Please rephrase “The unconventional gas industry in Australia as a water resource destroyer”. First do no harm, then provide energy perhaps? Also, are they solvent enough to provide recompense anyway for the damage already done?

- i. *the current royalty and taxation arrangements associated with unconventional gas mining; and*

Also please assess the fines for environmental damage, bonds held for remediation and whether these companies are actually solvent. Who pays when CSG doesn't work and leaves its toxic legacy for centuries to come? Mining – of all hues - doesn't have a good track record here, why would I believe CSG will be any different? How high would royalties and taxation really have to be in these industries to cover their current impacts, let alone future liabilities?

- j. *any related matter.*

Below is the text of my personal email, not actually a public submission (but classified as one), to Professor O'Kane who carried out a Scientific Review of CSG industry for NSW State government. SAME questions, STILL relevant, DIFFERENT commission, DIFFERENT year, still NO proper answers, CSG impacts STILL happening.

Reference: Review of Coal Seam Gas Activities in NSW, Terms of Reference

Good to see Professor O'Kane and her team at Narrabri last week to hear the local community's concerns with the way CSG industrialisation is being carried out in this rural area. As time was short and I did not have the opportunity to ask these questions at the time, I would be grateful if you would ask Professor O'Kane the following questions for me regarding the Terms of Reference.

Thank you for passing this on.

Dr Pauline Roberts 12/09/2013

(interested rural community member)

TOR main para - the focus on human health

- a) How can this study focus on the effects of CSG industrialisation on human health when no previous benchmarking studies have been done?
- b) Is it proposed to access medical records for the communities surrounding existing CSG activities and those of the CSG workers?
- c) Will the team take into account the work of the Doctors for the Environment http://dea.org.au/images/general/Unconventional_%28CSG-Shale%29_Gas_DEA.pdf ? and the reports from Queensland GP, Dr McCarron et al on current potential health impacts, given that the Queensland government does not accept any health impacts are occurring at all?

TOR 1: Compliance audits by govt departments

- a) Will the Office of Water be one of these departments?
- b) Will the panel interview scientists formerly working for this department about their CSG audit concerns and also determine the extent of the experienced skill set left to assess these concerns now? (The Office has had quite a loss of staff recently)

TOR 2: Identifying and assessing gaps in the identification and management of risk

a) How can gaps in risk management be identified and assessed if scientific benchmark studies of health, environment and water catchments (quality or quantity) have not been done before exploration or pilot production facilities were permitted? How would such impacts be assessed scientifically without baseline data?

TOR 3: Identify best practice, manage the interface

a) Why are rural communities not included here, merely 'residential' and 'urban' - doesn't that imply lack of interest in rural NSW? Why should rural properties and their inhabitants be treated differently?

b) 'Best' - what does that really mean? What scientific evidence is this 'best practice' based on? What are the parameters applied?

b) What if there is NO best practice that can be identified (ie. that does not result in short term or long term health/environmental damage?) based on peer-reviewed scientific studies. Is that conclusion allowed?

c) What does 'manage the interface' really mean?

TOR 4: Compare and contrast nationally and internationally

a) Will this review panel visit Queensland and talk to CSG affected/impacted rural residents there? Or will political sensibilities intervene? Queensland rural communities appear to have real, on the ground, experience of the impacts.

b) There appear to be huge problems with CSG around the world according to urban and rural communities with unfolding developments, what if nothing positive can be said about this industry in terms of health and environmental impact? Is that conclusion allowed?

TOR 5: Inspect and Monitor

a) When can we (the public) access information on the background benchmarking that was carried out to make 'inspect and monitoring' of the water, fracking and aquifer protection scientifically valid? If it wasn't done, how can inspect and monitor now be scientifically valid?

b) Is an assessment of monitoring capability part of this assessment? ie. Which public office has sufficient expert staff to undertake sufficient monitoring?

TOR 6: Paperwork and public messages

a) Will the public have access to these information papers (advice to Government) or will they merely be released like MinFacts (aka spin) later on? (MinFacts did not inform, they condoned).

b) Does the committee accept that many of the public have more understanding of the health, environmental and social impacts of this industry - through direct experience - than the government appears to?

c) If the team determines that there is a huge lack of scientific data around this industrialisation to enable informed decision making, can the team suggest the precautionary principle should apply?

and finally d) Is this latest review merely another way to try and make peace with the restless natives? Or is it a SERIOUS, SCIENTIFIC AND RIGOROUS review of the impacts without fear or favour of the NSW Government, given that the NSW Government wants this industry to go ahead?

As you can imagine, the Great Artesian Basin, rural water supplies, people's lives and livelihoods are at risk here as is the integrity of our environment as a whole. CSG-impacted rural communities are not un-informed. They have schooled up on the science and technical aspects of this industrialisation in order to write the countless submissions and presentations to NSW and Federal government about this industry. The communities have been leading the accountability, not the companies or the government. It would be a shame if this review did not truly reflect the community's grave concerns due to a rigged ToR. I hope for all our sakes this is not the case.

Thank you for your time, Professor O'Kane.

Your sincerely,

Dr Pauline Roberts

(interested rural community member)

Thank you for taking the time to read my latest submission.

I wish the Select Committee well and hope it will be able to effect some lasting changes to mining's latest environmental disaster, UCG.

Your sincerely,

Dr Pauline Roberts

05/01/16