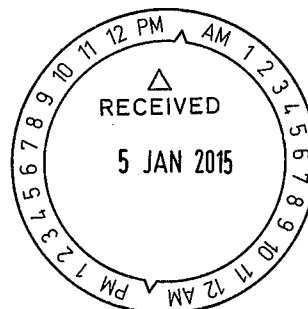




PO Box 100  
Eneabba WA 6518

The Standing Committee on Environment and Public Affairs  
Inquiry into the Implications for Western Australia of Hydraulic  
Fracturing for Unconventional Gas  
C/O Parliament House  
Harvest Terrace  
Perth WA 6000.



Dear Mr Chairman,

We wish to address some of the concerns that arose during the hearing conducted by your committee in Dongara. Information revealed during the hearing and since, by Government Departments have only served to increase our concerns regarding the negative impacts that can result from the unconventional gas industry.

Over the last two and half years our committee has researched and observed a large amount of information. There is a great deal of conflicting data about hydraulic fracking amongst the information from the Government and the proponents. We have concluded that it is irrelevant who is right and who is wrong, but rather the focus should be on risk, consequences, protection, remediation and compensation. It is extremely important to us and our community that water, the land and the environment along with presently functioning and sustainable industries, regional communities and property owners are protected from the adverse consequences that can result from establishing an unconventional gas industry in this region. Above all, the rights of citizens and property owners must be recognised, suitably respected and where appropriate, fairly and generously compensated. We believe this fits appropriately with Common Law and many other human rights charters around the world.

As stated our key concerns are:

- 1) **Water:** We require guarantees that our water supplies will not be polluted or disrupted. If this risk is as we are told negligible then guaranteeing it is not an issue. But we suspect that the risk is considerably higher than we are being told and that is why there is an issue providing any guarantee. We note that any assurance from the Department of Water is restricted to town water supplies.
- 2) **Property Rights:** We are informed that our rights are adequately guaranteed under existing legislation; however we have experienced exploration companies plying the same tactics to landholders in this State as they have in Queensland. These companies have attempted to gain access agreements for exploration and production by devious measures and offering

unreasonably low compensation. The actions we have witnessed demonstrate that the present Act does not grant the land owner sufficient power to negotiate on an equal footing with the exploration company. We have also observed legal incongruities whereby, for example, holders of Native Title, appear to be given significantly more bargaining power in the negotiation process than those holding the highest possible title, Freehold. We believe that section 17 and other relevant sections of the Act have not been adequately explained or interpreted to landholders. In any event there will be ongoing problems with landowners unless there is reasonable compensation paid regardless of what the Act might say. We say again, look at Queensland.

- 3) The Environment: Eneabba and its surrounding area is a special part of the world's environment and we all have a responsibility to make sure that it remains that way. Many sanctuaries have been established by land owners within the farmland and these compliment the vast system of reserves and national parks in this region. This is indicative of the whole of community support for the preservation of this rich diversity of flora and fauna. In relative terms, the money gained from this gas is only short term yet the environmental assets are wide ranging, irreplaceable and demand appropriate assessment and protection.

In the time we have been observing this industry we have seen little to allay our fears (in fact we have seen nothing) regarding water, landholder's rights and consideration for the environment. Without meaningful progress then we will see many of the negative scenarios that have played out in the Eastern States and the United States of America occur here. The creation of the Gas fields Commission in Queensland attests to the many failures, to the abuse and the impacts of the gas industry in Queensland. We trust that your committee can address the many issues of fairness, equity and rights and then perhaps we will not require a Gas fields Commission to address the failures in this State.

Ours is only a small committee but we are becoming increasingly more representative of the growing number of people within the region who are deeply concerned about the future impact of this industry. We observe that two Shire Councils namely Coorow and Carnamah have introduced policies that seek to protect their residents from the negative impacts of the unconventional gas industry, and that citizens groups in coastal towns of Cervantes, Jurien Bay and Greenhead are all registering their dissatisfaction with assurances being given.

We thank you and your committee for the opportunity to participate in this important inquiry.

Yours faithfully,

Ray Hortin

CHAIRMAN

17<sup>th</sup> December 2014.