



Barkly Landcare – Hearing Transcript

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Tennant Creek Training Centre, Tennant Creek

Speakers: Anthony Cox, Anne Alison, Naomi Wilson, Michael Johnson

Anthony Cox: My name is Anthony Cox. I'm the president of the Barkly Landcare Association. I live on a cattle station called Anthony Lagoon owned by AA Company, which is in the centre of the Barkly Tableland.

Hon. Justice
Rachel Pepper: Thank you.

Naomi Wilson: I'm Naomi Wilson. I'm the environmental manager for Australian Agricultural Company. I live in Darwin, but work closely with properties in Barkly and Victoria river districts.

Hon. Justice
Rachel Pepper: Thank you. Yes.

Anne Allison: Anne Allison. I'm the coordinator with Barkly Landcare.

Hon. Justice
Rachel Pepper: Thank you.

Michael Johnson: Michael Johnson from AA company. Brunette Downs Station in Barkly Tablelands.

Hon. Justice
Rachel Pepper: Thank you very much. Ready when you are. Thank you.

Anthony Cox: Thank you very much the opportunity to come here today. I guess it was probably more some questions that we'd probably like to put if we can, Justice Pepper. In terms of, we haven't really got a presentation to present. However, a bit of background on the Barkly Landcare Association. It represents close to ... in terms of there's probably 20 odd parcels in the Barkly region. So, a total area of-

Anne Allison: 260.

Anthony Cox: -260,000 square kilometres. I guess the primary production in beef cattle operation is probably the primary focus for, and it's a bit of a platform for



the Barkly Landcare. That pastorals can raise issues, environmental issues, land, water, socio and economical issues also. That's probably a bit of a brief on the BLCA and its role. If I could lead into some questions? If that would be possible?

Hon. Justice
Rachel Pepper:

Sure. Whether or not we can answer them or it's appropriate to answer them today is another matter, but ask away.

Anthony Cox:

Sure. So obviously, around the whole fracking process it's obviously quite sensitive for a lot of us. And around, obviously, the water tables that are to be drilled into. And the subsequent effect of firstly, how can fracking be assured that water quality and quantity would not be affected?

Hon. Justice
Rachel Pepper:

We've tried in the background an issues paper, which you might not have had a chance to read, to identify a number of issues. Obviously, one of which is water. And I guess what we are hoping to get from you today is not so much answers from us, but more what are the issues that you're concerned about with respect to fracking? Because what we need to now do, once we finish this round of consultations, is to go back and make sure that we have in fact covered all of the issues that Territorians are concerned with. If we have, and if we're satisfied we have, then that's the investigative work going forward. That's the work of the panel. So, we're not going to be in a position, I think, today to talk about the assessment of those risks. The likelihood of those possible risks actually eventuating, but we are very keen to hear from you today about what are you actually concerned about in respect to fracking? How might it affect you were the industry to go ahead? What are the sorts of things you're really concerned about?

Anthony Cox:

Yes. So that, obviously would certainly be one. Quality, long-term sustainability of quality and quantity of water in our aquifers both to production in terms of supporting a community in those areas that rely on the ground water also and above ground.

Hon. Justice
Rachel Pepper:

Is it just water you're concerned about?

Anthony Cox:

No.

Hon. Justice
Rachel Pepper:

And by 'just water' I am in no way meaning to diminish the significance of water, obviously particularly in this area.

Naomi Wilson:

So, I guess the concern that we've got is around contamination concerning particular ... So, the Barkly is an area of significant seismic activity. There is concerns around the structural integrity of the piping that is proposed to be used. Given that seismic activity is an issue here we're concerned that some of the gaseous material may contaminate ground water and also soil as a result of that structural integrity. The clean, green image or status of this region is essential to our production industry-

Hon. Justice



- Rachel Pepper: Can you tell me a little bit more about that?
- Naomi Wilson: We produce in a natural landscape, so it's an intact, native, pastoral landscape. A big part of particularly AA Co but for all the companies and producers on the Barkly that is an important component in the product that we produce, in the relationship that we have with our customers not just in Australia, but across the world. We have trace-back processes in place that enable us to demonstrate that the product that we are providing to a market has come from an environment that is clean and free from pollutants. This sort of industry presents some concerns for us in being able to, I guess, meet that market advantage and demand that we have for our products. The ability to maintain the sustainability of this environment is essential for our community and for our businesses.
- Hon. Justice
Rachel Pepper: Yes. Thank you.
- Michael Johnson: Probably just an opportunity to talk about the economic impact: given that the pastoral industries existed, which affects most of us, has existed for in excess of a hundred years. Fracking is very much a short term prospect in any text of where we've been. If there is any disturbance to whether it be water tables, land area, whatever, the surface where we harness most our production from it's really looking at that long-term impact in our industry through loss of production, being able to graze our animals, etcetera. I think that's from a long-term focus which also, probably could have an impact on the capital values of our land. In the sense that any degradation that leads to destruction of our soils, water, whatever it might be. Obviously, the industry here is about grazing beef cattle so any impact there would have a substantial impact on the capital value of the land. I think land access in the initial process of fracking, the ability to negotiate access rights and what it is that the pastoralists might be out to also obtain from the whole process is really important as well.
- Hon. Justice
Rachel Pepper: What are the current land access rights that you enjoy? So, if somebody wants to come on to your land and drill an exploration well, for example.
- Michael Johnson: Yes. So, there is a mandatory, it's not legislative, but there is a mandatory land access agreement. Mining companies have to at least sit down with the pastoralist and negotiate some sort of mandatory access agreement.
- Hon. Justice
Rachel Pepper: And if that can't be negotiated, what occurs then?
- Michael Johnson: Mining basically takes right of way so I'm not sure on the exact process past that point.
- Hon. Justice
Rachel Pepper: What about a right of veto?
- Michael Johnson: Yes. Right of veto. In principle, yes, it would be nice to be able to say, "No." I think potentially ... And I suppose that depends on what is the impact of fracking. If that was understood I'm sure the pastoralists and mining



companies could work hand-in-hand and be able to get along. However, with the evidence of fracking and sort of what we understand of it or so far as the scientific evidence we don't see anything that says that our water table won't be affected, that our pastoral operations won't be impacted. That's the challenging space, I guess, we sit in.

Anthony Cox: Just another, probably, issue is the conventional, in comparison to the unconventional, drilling methods. In terms of on each property, neighbouring stations, just the social impact that that can have...

Hon. Justice
Rachel Pepper:

Sorry, can you elaborate on that?

Anthony Cox: Yes. The way I understand unconventional is that they can drill down and then across into, obviously, it could be neighbouring stations. And obviously, if someone is drawing out of someone else's pasture or lease what actual impact that can have socially is an issue.

Michael Johnson: I think another point is certainly in the event of quite a few legacy mines left around our country and particularly in the NT as well. I think any security that's held against the mining companies, it would have to be something that's extremely considered in the form of ... Whether it's to the lessee or through some sort of regional type basis that hold bonds and securities that ensure that any recovery or that type of work can happen in the event of a mining company collapse or whatever it may be to regenerate the landscape.

Hon. Justice
Rachel Pepper:

I understand that there have been a few legacy issues surrounding some of the gold mines up here. Is that right?

Michael Johnson:
Hon. Justice
Rachel Pepper:

Certainly.

Can you elaborate a little bit, please, on those?

Michael Johnson:

Does anyone want to talk? Do you have much on them?

Naomi Wilson:

No, I don't personally.

Michael Johnson:

Not in total, but I know that certainly from a soil disturbance perspective there's ... Even if we don't look at the legacy ones and we look at the currently operating mines in one that that is fairly close to us on the northern end of the Barkly with wastage water and that seepage out in to the environment. It's effectively rendered that land area unusable for livestock production as a result of lead contamination and that sort of thing. I suppose legacy mines are all that. It's soil disturbance, things not being put back in their natural state and you're left with some sort of hole in the ground, erosion from the impact of the activity that's around there because that hasn't been regenerated. So, it's all those things. There's instances of potentially ... I know of one bore that's still flowing. You know what I mean?



It hasn't been capped so, drilled a hole in the ground and there's still seepage from that. So, what's that doing to the ground water supply?

The water thing for us is really significant because I think I read in the document 25-30 megs per frack. The way we understand it is there's a whole gridded system where were three by three k. The volume of water that's actually extracted for the production process in fracking is immense and then how does that impact on our part of the water that most of us only serve artisan. Quite shallow for us but where does the water come from to do that? And the holes obviously go through that water table where we extract our water, so there are quite grave concerns.

Naomi Wilson: If I could put an apology in for Jane and Scott Armstrong from Beetaloo. They couldn't come today because they've had three inches of rain but they have raised all the issues that are being covered here today too. They have issues and they're much closer to the impact as I am.

Hon. Justice
Rachel Pepper: Noted but thank you very much for that. Did anyone want to say anything else before I open it up to questions from the panel?

Anne Allison: Just on some of the access issues it would be like the road maintenance, erosion, and this weed issue. With Barkly Land Care, a lot of our focus in the past has been weed issues and we've just had a great portion of our meeting today based around the issue of weeds so that is one of the major concerns.

Hon. Justice
Rachel Pepper: So, weeds coming in, weeds being transported in on the vehicles used during the fracking process.

Anne Allison: Yes, by their contractors and by the companies involved. Even if there are agreements in place on procedures that they must follow, if there's a change of ownership of the company or a change of contractors in making sure that he follows through.

Hon. Justice
Rachel Pepper: Thank you.

Anthony Cox: I just got a couple of others here.

Hon. Justice
Rachel Pepper: Sure.

Anthony Cox: If you don't mind.

Hon. Justice
Rachel Pepper: No, no absolutely.

Anthony Cox: Depletion of artisan rural water-keeping it up to 80,000 frack wells. What is the drill well total? Is there water usage over 30 years is probably one of the questions that was raised.

Hon. Justice



- Rachel Pepper: Where did you get the figure, if you don't mind me asking, of 80,000 wells? We've heard that a couple of times now and we're really keen to find out where that estimate comes from.
- Anthony Cox: Good question.
- Hon. Justice
Rachel Pepper: Fair enough.
- Michael Johnson: With land area, I think we went through a process of hundred thousand square kilometre and a three by three k grid I think it was and that was the equivalent of 300 wells or 400 wells or something like that. There's some fairly substantial numbers when you look at the land area and the potential land area that has these reserves to be extracted.
- Hon. Justice
Rachel Pepper: Anything else?
- Anthony Cox: Yeah, I've got a couple.
- Hon. Justice
Rachel Pepper: Good that's fine. That's what we're here for. Thank you.
- Anthony Cox: If you don't mind. Another one around poison service water. Fracking with well-placed plastic lined dams, the geology around those. That's more of a question I guess.
- Hon. Justice
Rachel Pepper: Is that a concern or a possible risk about-
- Anthony Cox: -sort of a concern, yeah.
- Hon. Justice
Rachel Pepper: Absolutely. So, with the plastic lined dams is the worry there about seepage out or wastewater escaping?
- Anthony Cox: Yeah. And obviously, the chemicals put down there which I maybe touched on earlier using to drill. That's all.
- Anne Allison: Which is particularly relevant with anyone going organic as well, so if there's an issue.
- Michael Johnson: I think the other one given our group is a landscape group that has a really predominant weeds focus, the activity in and around big machinery and those sort of things moving around and weed seed spread, moving from one region to another even within the territory, that's of grave concern to us. How do they wash down? How do they quarantine that sort of machinery is really important?
- Hon. Justice
Rachel Pepper: That's all right. In that case then I might open up. Dr Jones, yes?



Dr. David Jones: I'm a water person but I'm not going to ask you a water question directly here. What I'm going to ask you about is potentially the impact on your operation. Certainly, in the Queensland area with CSG a much closer space in the water ways and coastal areas and laser level fields and there's all sorts of issues there, but with the pastoral industry what do you see this kind of criss-crossing of the landscape, additional access roads would make to your operations? How would it impede and effectively come on your operations?

Anthony Cox: If there was roads going across three stations, if there's development, fencing, maintaining fences, grids, gates left open, the impacts of what that may entitle in terms of mastering costs that are all additional costs. Who's to facilitate that there's the eye on each around an incident or an accident on a remote cattle station, given that a lot of us are 450 kilometres from our closest town? That would be a few of the areas.

Naomi Wilson: In addition to that most of our erosion issues on the Barkley are as a result of infrastructure and development, so if you're significantly increasing the infrastructure that's here, it increases the erosion risk and the loss of soil through those processes.

Dr. David Jones: Certainly, I can imagine if you've got exposure with roads, if they're not maintained they'll probably start erosion gullies and things like that, so that would conceivably of flaky water patterns across the landscape perhaps.

Michael Johnson: Just the sheer activity, just the effect on our cattle graze in quite a natural range lands environment with limited human impact I supposed by maybe the mastering season maybe once or twice a year the disturbance of lots of machinery and activity around that will impede their behaviours and particularly produce productivity losses as well. That's another one.

Anne Allison: And just on the weeds issue it broadens up the weeds issue too because it's the spread of weeds along those roadways as well.

Dr. David Jones: Do you think it could also open up access to outside if they see roads across landscapes they tend to go on them.

Anthony Cox: Yep, for sure.

Hon. Justice
Rachel Pepper: Yes. Peter McCabe.

Prof. Peter McCabe: I don't know much about cows. You mentioned organic and I see organic beef in the supermarket. It was my understanding that that was mainly in terms of food supplements that have been given or not given to the cows, so could you tell me a little bit about what defines organic and how that might be impacted by fracking?

Anne Allison: It would be any use of chemicals so the properties that are organic cannot use chemical for weed control. So, they're all very limited to the natural but



basically, they look at other methods for weed control, so there's no use of chemicals, anything that they're drenching or treating [crosstalk 00:21:38]

Prof. Peter McCabe: And who is that defines this and how is it controlled?

Michael Johnson: It's industry standards, so either through meat standards, livestock insurance type programs. I guess the biggest impact is, like you said, chemicals, HTCP, hormones, those sort of things, that garner a fair bit of- However, any contamination of our range, pastures, etc. could impact them. Chemical spills with things coming in, so-

Anne Allison: Even, just an example in New South Wales where those fires have gone through, there's an organic property there, and he had major problems even to where he took his cattle urgently to get them off the property. He couldn't just put them anywhere. He had to find somewhere that was organic, so that he didn't lose the organic status on those cattle. So, it's really critical that there's no contamination.

Hon. Justice
Rachel Pepper: Yes. Vaughan Beck.

Dr. Vaughan Beck: Just a follow up question on that. In terms of the organic status, do you have any official certification? Because you were talking about marketing clean and green and so I'm just wondering if some of the pastoralists have official organic status?

Anthony Cox: There's accreditation, yes.

Dr. Vaughan Beck: Yes.

Michael Johnson: Through a QA program, a quality assurance program.

Dr. Vaughan Beck: Right. So, would that be all or a number of the pastoralists attached to the Barkley Land Care group?

Michael Johnson: It's a bit of both. So, there are some current pastoralists that have got organic status but then it is perhaps impeding on the opportunity for others to become organic because there is price premiums in and around organics done well. Yes, we do have some pastoralists that are organic and it potentially could impede on organic accreditation later on.

Dr. Vaughan Beck: For others who might be aspiring to gain it.

Anne Allison: But it's also for those that market so that they they're not necessarily organic. They might use chemicals but it's still using the clean and green Australia: the Barkley.

Dr. Vaughan Beck: So, they might try to use a different from of marketing rather than organic.



- Anne Allison: Yes. Yes, so we won't necessarily be organic but they're definitely using our clean and green.
- Michael Johnson: Yeah, there's grass fed assurance programmes. There's a lot in that meat space.
- Anne Allison: So, it's still definitely a marketing piece.
- Dr. Vaughan Beck: Could I also just clarify the Beetaloo station, are they part of the Barkly Land Care Group?
- Anne Allison: Yes.
- Dr. Vaughan Beck: Are they further north or how does that work?
- Anne Allison: They're within our mapped area.
- Dr. Vaughan Beck: Yes, they are. Okay.
- Michael Johnson: Yeah, they're on the Barkly.
- Anne Allison: They were coming today but they got that three inches of rain.
- Dr. Vaughan Beck: Right. Thank you very much for that.
- Hon. Justice Rachel Pepper: Yes, Professor Priestly.
- Prof. Brian Priestly: I'd just like to get a feel for the extent to which your concerns are related to hydraulic fracturing as opposed to mining and exploration generally. It seems to me that the experience that you've had has been primarily with mining exploration. Is that correct? Is that a reasonable assumption or have you had experience with other types of exploration in your area?
- Anthony Cox: Probably haven't had in terms of experience with the mining companies on our particular area at this time but I guess I could probably talk a little bit to Beetaloo where they have had mining or fracking companies wanting to come in onto that land and the issues that they've had around access and that sort of thing. In terms of mining or fracking we have had limited exposure to it other than what we've been informed on. I can't probably give a comprehensive between mining or fracking.
- Prof. Brian Priestly: I think that's the sort of feeling I was trying to get to from you so that's fine, thank you.
- Anne Allison: Personally, though, I've had gas exploration on property I've owned down in Southern Queensland and certainly there was not very much negotiation available to me to do anything. I was basically told that this is what you had to do. I didn't really get any choice. I don't think I signed any documents.
- Hon. Justice



- Rachel Pepper: You just got a notice saying, "We're coming"?
- Anne Allison: Yes. And they came en masse. Yes.
- Dr. David Jones: How long ago was that because we had a presentation from the Queensland people about the new land access agreements and so on that they put in place.
- Anne Allison: I think it's all changed. That would have been 2004.
- Dr. David Jones: That's when it first started, yes.
- Anne Allison: It was around that particular area. That was around Surat, so it was really happening to quite a degree.
- Dr. David Jones: There are some practises there that have been a bit lamentable.
- Naomi Wilson: They needed to.
- Hon. Justice
Rachel Pepper: Sorry I think that's Jane Coram?
- Ms Jane Coram: I'm just interested in your ground water and your water use. I'm wondering- you mentioned that you have sub-artisan and artisan ground water. Do you have any sense in changes of ground water over time? Like their pressure is constant, they're going up, going down.
- Michael Johnson: Yeah, it's a really good point. It's probably one where we need to understand more because there's really no relevance on a benchmark, baseline data for groundwater in the NT. A lot of the drilling that's been done particularly across the Barkly regions probably are in the vicinity of that up to 120, 140 metres. So we know the sub-artisan base relatively well but the deeper water we don't understand in volume and quality as such. Certainly, baseline data in any of these processes, so there's a measure against that is extremely important to us in the event of going to fracking and take water from the ground preserves.
- Hon. Justice
Rachel Pepper: Yes. Dr. Anderson.
- Dr. Alan Andersen: You talked about even if your main concerns over green accreditation and water could be effectively addressed, there's still always issues of, at least sort of humbug issues, of people on the land, and leaving gates open, interfering with pastoral operations. I was just wondering if you've given some thought about what sort of benefits you might like to see from the industry?
- Michael Johnson: The right to negotiate for starters is where all that starts, I suppose, and that's right, it is about trying to find a position where perhaps our activities line up with mining activity. The benefits really are improved access in roads, opening some of the underdeveloped areas up. There's probably benefits in



that context that the whole life of the morning piece, so the local communities. How does that stimulate population and the local economy? On a longer-term basis, not just a short five to ten-year basis where we see certainly in Queensland where there's been some huge economic drives and then just total-

Anne Allison: It crashes.

Michael Johnson: -depletion, which is terrible. So, there's benefits to community but they've got to be weighed up with what else can go wrong I supposed in the event of a crash. But potentially, road access and some of those things to our land could also potentially be a benefit but we have to have a seat at the table to be able to negotiate that on some sort of fair terms.

Hon. Justice
Rachel Pepper: Dr. Beck.

Dr. Vaughan Beck: Just following up on previous question on water. I'm just wondering do you have any issues in accessing water at the moment? Is water availability not an issue for you at the moment and have you experienced any issues in the past?

Michael Johnson: Not necessarily for stop waters, no issues, no.

Dr. Vaughan Beck: Right. And in terms of licensing for putting down wells, what's the situation?

Michael Johnson: For us, for stock consumption, there's a license with a minimal fee. Stock and domestic use is basically there for us to utilise.

Dr. Vaughan Beck: Yes. Thank you.

Hon. Justice
Rachel Pepper: Yes, Dr. Jones.

Dr. David Jones: Getting back to regional benefits, often such royalties from these operations go in to consolidated revenue and you probably never see it again. Are you familiar with the Royalties for Regions program in WA where there's a conservative effort to reinvest from central government into the regions and if so is that something you'd like to see?

Anthony Cox: I have heard of it. Not quite familiar with the terms and the arrangements that it's got but certainly it would be of interest, I would think.

Anne Allison: I've just come from Queensland, and I don't know that those regions benefit as much as they feel they should. I don't know that a lot's gone back-

Dr. David Jones: One of the things we are charged with looking at is the social dynamic and economics of the industry and that forms part of it because economics you can look at it as macro economics, which is Australia or the territory or we can look at micro economics and what it means for the region in particular.



Naomi Wilson: There's also the issue of the capacity of the NT to administer something like that. So, you look at the current issues that we're having with legacy mines and mine rehabilitation. Part of those issues is the capacity of NT government to actually invest the funds that are collected in the activities that they're intended for to actually change something.

Dr. David Jones: That's probably a nice segue into regulation. What's your collective impression about the regulation of the money and how it stands in the territory because that's another aspect that we will be reviewing and commenting on. Do you trust them? [group laughter]

Michael Johnson: Well, to this point, I don't think there's been a lot of regulation. I mean that's why we sit where we sit and that's why there's been such a big fight particularly from our industry in and around land access and those sort of things because we had no rights and that goes into regulation and basically where those companies are allowed to do as they please. Regulation is incredibly important, particularly where the environment is concerned.

Dr. David Jones: Certainly, about the assurance for the protection of the environment from this kind of industry.

Michael Johnson: Yes.

Hon. Justice

Rachel Pepper: I just want to come back to your answer about you doubted the capacity of the Northern Territory government to administer something like this being a sort of Royalties for Regions program. What did you mean by that? When you say capacity what do you mean?

Naomi Wilson: So, I guess their effectiveness in doing that. We have a case in point at the moment where significant funds have been collected for environmental rehabilitation around mining in the Northern Territory and those funds are not being effectively invested in environmental recovery.

Hon. Justice

Rachel Pepper: They're not being used for the purpose for which they were collected?

Naomi Wilson: No. And they're inquiry processes I think, don't quote me on that. There are processes around that looking at that at the moment as to what's actually happening with that money and how effectively it's actually being utilised, the purpose of it that it was meant to be.

Hon. Justice

Rachel Pepper: Dr. Beck

Dr. Vaughan Beck: Miss Allison I really just want to direct this question to you because you've had the experience of being a landholder in Queensland and having the experience of people coming on and wanting to drill on your property. Given the experiences that you've had what would be the lessons that you'd like to see carried, not carried forward, but what would you like to see in the future if there was to be any development in this area?



- Anne Allison: To be able to negotiate, to start with. Mind you, I did get a couple of things out of it, but basically, I still had no say in it. To me that is the big thing. I want to negotiate and be able to argue the case with my concerns. My concerns weren't addressed at all. There was no formal process for me to take that down, so I just had to accept them coming on to my land as they did and drill and move out.
- Dr. David Jones: [inaudible 00:35:02]
Hon. Justice
Rachel Pepper: Yes, please.
- Dr. David Jones: There are negotiations and so on and even in the current circumstances in Queensland there's still very much a one on one secret type thing. Secret men's women's business. One landholder doesn't necessarily know what his neighbour is negotiating or doing. In one way, I guess that one on one negotiation could be good but in another way it could be inequitable because there's no level playing field. People could be played off against each other. Do you think having a kind of minimum floor type agreement might be appropriate in that context?
- Michael Johnson: Certainly, I would think so and I suppose it comes back to that regulation piece and some sort of regulatory type framework in and around negotiation and rights is extremely important. That is a significant risk. We're littered across the territory with big corporate players in very small owners and obviously, any context the corporate players are going to be able to find themselves to have an advantage when they sit at the table against perhaps a private landowner that's only got a small operation over here. So definitely consistency.
- Anne Allison: Even now it's happening with that Northern Gas pipeline and that access across there. The corporates have got that ability to really negotiate. They've got that capacity, whereas the poor private landholders don't have that.
Hon. Justice
Rachel Pepper: Can you tell me a little bit more about that and the relation to the pipeline?
- Anne Allison: The pipeline is going across from Tennant Creek to Mount Isa
Hon. Justice
Rachel Pepper: Which is the point that you just made sort of about the capacity to negotiate.
- Anne Allison: The corporates have got the legal expertise-
- Anthony Cox: The resources-
- Anne Allison: -the resources and being able to develop a network and know how to negotiate. Whereas the private landholder doesn't necessarily have that capability or wouldn't be able to engage a solicitor that might have that thorough knowledge of the best way to negotiate a good deal or all the



issues that they should be addressing. So, they're not necessarily aware whereas the corporates would have a much thorough understanding of everything they need to cover up on in those agreements.

Dr. Vaughan Beck: I understand that the pipeline at the moment, further development is being held up because there's negotiations over land access. I've just seen that in a newspaper article. I was just wondering if you might know some more details and can elaborate it for us please.

Michael Johnson: My suspicion is native title.

Dr. Vaughan Beck: Right. Okay.

Anne Allison: We were hoping to have had Jane address in our meeting today but unfortunately no one was available to talk to us today.

Dr. Vaughan Beck: Right. Okay.

So, can I also ask has the Barkly Land Care Group, is the pipeline going across some of your properties?

Anthony Cox: It has.

Dr. Vaughan Beck: It will be. Okay. So, can you perhaps just give us an indication of the negotiations that went on in relation to land access for the pipeline please?

Michael Johnson: In our experience and the properties that we're involved with, it's been quite a reasonable type process. We haven't finished or finalised negotiations as such. Certainly, the steps in negotiating where that pipeline runs, the disturbance to operations, and what are the opportunities and the ongoing maintenance of that and what that means at this stage has been reasonable.

Hon. Justice
Rachel Pepper: What's made it reasonable?

Michael Johnson: I think perhaps the ability to put forward our whole framework to get agreement to, I think the mind got shifted in one part where it went through a major piece of infrastructure. The company's been under arrangement to ensure that our needs were met in that instance.

Hon. Justice
Rachel Pepper: Leaving aside the obviously quite significant concerns you all have in relation to water, understandable concerns. If the regulatory framework could be put in place that would deliver something like the reasonable negotiations that you've had for the pipeline in relation to land access for companies that want to come on and do exploration wells, frack, whatever. Would that go some way to alleviating some of your concerns surrounding land access?

What else would you like to see?



Michael Johnson: Yes, yes perhaps around land access. I think the big piece is the unknown. What does fracking do to things like the water table. That's us, that's what we do with pastorals. We raise cattle and grass. If we don't have that resource, we have nothing left in value. Baseline data is obviously extremely important but where's the evidence to suggest that nothing is going to wrong so we can trust the system?

Anthony Cox: As far as we can see is that once it's done, it's done. I guess once that water table is contaminated, there's no going back. It's only going to take one issue.

Michael Johnson: If mining has to go ahead, how are we protected by that from a value perspective is important.

Hon. Justice

Rachel Pepper: Yes, please.

Dr. David Jones: Certainly, we've talked about land access negotiations and how that might change things. We've also got the other aspect to regulation, which is the regulation of installation, ongoing operations, and decommissioning which is really important. In terms of impact on water quality one way of getting assurance for that is to have a very strict monitoring and regulatory regime in place. Which basically is rigorous monitoring of ground water quality in the vicinity of these well heads to make sure that if any leak is detected it's picked up like that because I think there's a rule of thumb. Every year something escapes might require 7 years remediation, something like that, so literally the earlier you can pick something up the better. If there's a rigorous monitoring regime in place of water quality would that go some way towards alleviating those concerns? If remediation was required, it would be done quickly. The worse thing is if you don't find out until ten years later or even longer and then you've got a big job.

Anthony Cox: Absolute minimum standard, I would suggest.

Anne Allison: Are you saying too if an incident happens it can be remedied?

Dr. David Jones: The quicker something is picked up the better chance you've got of not having it move away.

Michael Johnson: Absolutely.

Hon. Justice

Rachel Pepper: Yes. Peter McCabe.

Prof. Peter McCabe: Early on you mentioned a concern about seismic activity and contamination. I presume you're talking about earthquakes? As a geologist, I'm used to bigger earthquakes in California and Japan and you don't have those here. Could you tell me what your experience with seismic activity is and why the concern?



- Naomi Wilson: We don't have the same level or intensity of seismic activity as for example California. However, we do have reasonably regular seismic activity in Tennant Creek and to the north of Tennant Creek. If you look at the Geoscience Australia seismic hot map there is a red spot over this region. We get with relatively frequent occurrence activity of factor of 2.8 I think was the last one. We do actually have a gas pipeline that runs through Tennant Creek that has actually been disturbed by seismic activity. It's on the surface. You can see it. The surface shifted and busted the pipe so we have past experience with seismic activity interfering with infrastructure.
- Prof. Peter McCabe: Does that affect water levels at all in your wells?
- Michael Johnson: I wouldn't think so. No. I think seismic activity is more the corruption of the whole to distribute the fracking because obviously, you're going through our water table. That's the really big concern.
- Prof. Peter McCabe: So, you're worried about that fracturing- [crosstalk 00:44:16]
- Michael Johnson: We see a fair bit of movement on more houses as it is. In our environment, there's a lot of limestone through the Barkly, big limestone cavities underground, so it sounds stable enough.
- Naomi Wilson: We also have occurrences of sink holes and a range of issues like that on the Barkly.
- Dr. Vaughan Beck: I think you mentioned that seismic activity in respect to the gas pipeline. Did that cause a fracture of the pipeline and there was release of gas?
- Naomi Wilson: I don't know.
- Dr. Vaughan Beck: Right. Okay.
- Naomi Wilson: I don't know.
- Dr. Vaughan Beck: That's okay. That's something we can follow up. Thank you. And if I could perhaps just go back to your negotiations with Jemena in terms of the pipeline. In those negotiations, was that basically a one on one between your company and the pipeline company? Was there any involvement from the government? Were they sitting in the background at all providing some advice or assistance? I'd just like to understand the dynamics of the negotiations and also whether there was any relationship between you as one pastoralist and maybe other pastoralists who were being similarly impacted by the installation of this pipeline?
- Michael Johnson: No, not necessarily. It was basically between us and Jemena as I understand it. Not necessarily, but it's pipeline that's underground. It's a fairly controlled type process. It's been a simple enough thing to work through.
- Dr. Vaughan Beck: Right okay. Fine. Thank you.



- Hon. Justice
Rachel Pepper: I'm going to ask a really possible stupid question, but what's the pipeline for? Because we've heard varying reports of it for its purpose.
- Michael Johnson: Gas pipeline.
Hon. Justice
Rachel Pepper: From where to where? I know where it's going, but-
- Anne Allison: It will be taking gas from Tennant Creek from Darwin and North, to-
Hon. Justice
Rachel Pepper: Where is it getting the gas from? Do you know?
- Audience: Western Australia. [crosstalk 00:46:24] with Western Australia and Darwin going over to insect pivot in Queensland.
- Hon. Justice
Rachel Pepper: I going to focus my questions to the people at the table sitting in front of me and I'm only going to listen to those answers.
- Anne Allison: It's going from Tennant Creek to Mount Isa. It's taking that gas from up North and Northwest and taking it to the East.
Hon. Justice
Rachel Pepper: Thank you. Yes, Dr. Ritchie
- Dr. David Ritchie: This could be for anybody really, but Tennant Creek has risen as a mining town and it's had its various booms and its busts. The cattle industry has obviously benefited from time to time from having a centre where you can get things done that you would have had to go a long way for, in other words. Do you see, again putting aside some of the problems, that you'd actually like to see another mining industry centred around this part of the world or in recent experience has your experience been different? I just want the committee getting a feeling for how you see the relationship of the industries now, whether they're closely compatible or where there's some real potential for different objectives and therefore, issues.
- Michael Johnson: Who wants to tackle that? [Laughter] [crosstalk 00:47:57]
- Dr. David Ritchie: I don't mean it to be a question of do we like Tennant Creek. I meant it to be a serious question about do you see it that the two industries, one of the longest standing industries as you've said, the cattle industry and relying on a free-range product. Can it exist in your view side by side with an industry like the gas industry?
- Michael Johnson: Certainly, anything that contributes to growth of the NT. Each industry supports each other. It's all really about the practises and how that's carried out. But certainly, the development of these small towns. Like you say, Tennant Creek is a town that's been built on the back of not just mining but mining early on and the pastoral estate to support that. That's grown from there and it's certainly gone through its best times in the pastoral state's been the one that's been left there to support the town. It goes hand in



hand and that's our history and I do see that there's great opportunity for that to contribute to the growth of the area, economic development of the area and its population, particularly the indigenous population as well. But, it has to be found on good safe, sound, sensible practises that deliver that.

Naomi Wilson:

I think also the structure of the mining industry has changed significantly since Tennant Creek was established as a mining town and in the good old days when Tennant benefited from mining industry. It was when mining was a localised industry. Whereas, now it tends to be a remote industry with its fly in, fly out. The mining in the Tennant Creek or the Barkly District in its current structure. The town and the local community don't benefit in the same way that they have in the past. That's probably the key issue and that has impacted the pastoral industry as well in that we've lost a significant workforce and a community that used to exist around the pastoral industry as they've been attracted away into mining that offer big boom pay that the pastoral industry simply can't compete with. That has impacts on communities and we've seen that right across the country. That's a much bigger issue of how we've balanced industries and how they interact in remote communities.

Hon. Justice

Rachel Pepper:

Any further questions? We've exceeded our time. This has been a very productive conversation. Thank you very much all for coming today. Thank you.