



## ***Alice Springs – Gem Walsh, Esther Nunn and Darren Turner***

*Please be advised that this transcript was produced from a video recording. As such, the quality and accuracy of this transcript cannot be guaranteed and the Inquiry is not liable for any errors.*

**08 February 2018**

***Alice Springs Convention centre***

***Speaker: Gem Walsh, Esther Nunn and Darren Turner***

Esther Nunn: My name is Ester Nunn and I'm here representing Health Professionals Against Fracking.

Hon. Justice Pepper Thank you.

Gem Walsh: I'm Gem Walsh and I'm a nurse and I'm here representing Health Professionals Against Fracking NT.

Hon. Justice Pepper Thank you.

Darren Turner: I'm Ochre Turner and I'm a nurse and I'm representing Health Professionals Against Fracking NT.

Hon. Justice Pepper Thank you very much. Yes, when you're ready.

Gem Walsh: We would like to acknowledge that Arrernte people of Mparntwe by recognising that we are on land that was stolen from them and that the impacts of colonisation continue to negatively affect indigenous people's health and wellbeing. The fracking industry is yet another looming burden of colonisation.

Esther Nunn: Six months ago, we presented to you a submission prompted by our ethical and professional responsibility to protect the health and wellbeing of our patients, the wider community and the environment. Our submission based on peer-reviewed scientific evidence outlined why lifting the moratorium on fracking would put the human, animal and environmental health of the Northern Territory at unacceptable risk. We acknowledge the work that the panel has done in the last year and had hoped that this would be translated into a cohesive, balanced report that realistically reflects the impacts that fracking will have on the Northern Territory.

But instead, the Panel has chosen to omit the pertinent opinions of public health experts like Professor Melissa Haswell, who is acknowledged in the first page of the public health chapter. Then her recommendations for protecting the health and wellbeing of the Northern Territory is summarily ignored in lieu of other less authoritative sources. We are shocked and



disappointed at the content on the draft final report of the Scientific Inquiry into Hydraulic Fracturing in the NT.

Gem Walsh:

We strongly dispute the Panel's assertion that hydraulic fracturing has a low likelihood of risking public human health. We also strongly criticise the practise of using industry-commissioned human health risk assessments, HHRAs, to support the panel's risk assessment. It is self-evident that HHRAs designed by industry will have a vested interest in minimising the potential adverse effects of that industry.

We understand that the panel's scope was to examine all available evidence regarding health risks of fracking. For that reason, acknowledgement of the information put forward in the HHRAs was appropriate. These may have been the only HHRAs relating to fracking that were available to the panel and we acknowledge that. What we find unacceptable is that the Panel acknowledges the significant limitations of the HHRAs and then employs these reports as a source of information. In other words, the Panel explicitly questions the validity of the HHRA's measured health outcomes and then utilises the reports to provide quotes and figures to support the panel's own assessment.

The report states, and I quote, "The two critical elements of an HHRA that must be present in order to aggregate and characterise the risks are, firstly, identification of and knowledge about the chemicals of concern and, second, identification of the potential exposure pathways." All of the HHRAs considered by the panel failed to address either one or both of these critical elements needed to characterise risk. This renders them inappropriate as key resources influencing decision making.

The HHRA by Origin on its exploratory activities at the Amungee Well in the Beetaloo Sub-basin failed to fulfil either of the two essential criteria. The Santos HHRA on its developments in the Surat and Bowen Basins in Southwest Queensland failed to assess critical exposure pathways leading to contamination of groundwater and surface water. So, did Santos' health and chemical risk assessments of its CSG development in Narrabri, New South Wales. The WA HHRA utilised by the Panel was the subject of an extensive and detailed critique from public health advocate, Professor Melissa Haswell.

Professor Haswell found that the report did not fully and accurately assess the potential risks and benefits of the industry to the health and wellbeing of the population. Finally, the AGL upstream investment HHRA, assessing health risks associated with BTEX in flowback water in the Gloucester Basin of the Valkyrie CSG project, in New South Wales only covered airborne transfer from the holding tank and not leaks or spills to surface or groundwater, due to being an incomplete pathway.

To repeat, all five HHRAs utilised by the panel in their consideration of risk failed to fulfil either one or both critical criteria required to characterise risk. I quote the report, "All five reports provide useful information supporting the risk assessments undertaken by the panel in this report and they are

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



consistent with the panel's consequence and risk assessment of low." How has this conclusion been reached when the report's failed to fulfil the criteria of HHRAs? Why are they being used as sources to support the Panel's assessment? And if the pathways are incomplete, and omitted from the assessments, how and why has the panel drawn conclusions from this incomplete evidence?

We acknowledge Recommendation 10.1, within which the Panel calls for HHRA reports to include risk assessments, risk estimate assessments of exposure pathways deemed to be incomplete. This is an admission that inclusion of all exposure pathways is imperative to HHRAs. So the question must be asked, why are these evidently weak sources which form an essential component of the public health chapter being used by the panel to justify the assessment of health risks as low? We want our opposition to the use of these sources to stand on the public record.

Furthermore, it can be seen in the public health risk matrix that the panel recommends gas companies to prepare site specific HHRAs. It is completely unacceptable to expect industry to self-regulate their own practice. We also on public record, our opposition to the stipulation in Recommendation 10.1 that and I quote, "Formal, site specific HHRAs need to be prepared and approved prior to the grant of any production licence for the purpose of any shale gas development."

We urge the Panel to amend this recommendation to require site specific HHRAs be approved prior to the granting of any exploration licences. Allowing industry exploration rights before fully assessing the impact these activities may have on a community is unethical and unjustifiable.

Esther Nunn:

It is unacceptable that the chapter on public health includes only one small paragraph on the enormous subject of social cohesiveness mental health and wellbeing. Worst still, this paragraph states, "The panel is unable to find any cogent evidence that supports an evaluation of the magnitude of this risk to public health." This inability or refusal to acknowledge the evidence is the result of the panel's favouring of a foreign study, McMullin et al, that is not peer reviewed. The McMullin et all study has such a narrow categorical framework that it reviews a measly 12 US studies out of the hundreds of studies available.

The report tables this literature review on an entire page in the health chapter. This is misleading to the general public trying to make sense of this report because the majority of the categories state the evidence is insufficient or failing to show an association. Furthermore, it is insulting to the enormous amount of work and references Australian health professionals and public health experts have provided to the panel during the inquiry process.

If health academics in this country use evidence as flimsy as McMullin et al to support their arguments, it would not be taken seriously. If the Panel had wanted to assess the impacts of the fracking industry on the mental health and wellbeing of the community effected, they would have incorporated a

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



validated assessment took in their community consultation processes. An effective and efficient process could have included appropriate questions to investigate people's concerns and stresses. This would have provided valuable locally relevant information at the source, providing the evidence required to demonstrate the effect that impending fracking has had on communities at risk from the health industry already. Basically, all the Inquiry had to do was listen and accurately document it.

But as this has been proven by secretly taped footage of the community consultation that occurred in Marlinja and Elliot, the Inquiry consultants did not listen. Instead, they went to remote communities and encouraged Indigenous residents to capitalise on an industry that they said is inevitable. In a process of consultation, the consultants spoke for 36 minutes and listened to the community for just eight. This is why the Panel does not have any evidence regarding the impact of fracking on mental health, wellbeing and social cohesion. Because the voice they gave to remote communities was merely lip service and the gravity of community stress has been in effect omitted from their report.

Health Professionals Against Fracking NT were lucky enough to be asked to do a presentation at the Aboriginal Fracking Forum recently on the impacts of fracking on health. The audience was a room packed with powerful indigenous spokespeople from 13 different communities across the Territory who had gathered to discuss their concerns about fracking and make a collective statement which they presented to Parliament. For hours, we listened to the wide range of concerns people in remote communities have about the looming fracking industry. This is invaluable primary source information. In the final list of issues in Appendix 2, the panel state, "There may be a risk that the physical and mental health of Aboriginal persons and communities, as a group that is especially vulnerable and disadvantaged, is particularly effected."

As health professionals, we acknowledge that the increased stress, anxiety and looming loss of cultural sustenance has a profound negative impact on the mental health of the communities at risk of industrial destruction. This is form of sickness that is effecting people already, long before fracking has even arrived.

Gem Walsh:

We would like to remind the Panel and observers that a categorical assessment of 685 peer reviewed literature published in 2016 found 84% of the public health studies indicate risks to public health, 69% of water studies show actual or potential water contamination and 87% of air quality studies indicate elevated air pollution. This evidence is strong enough for fracking to have already been banned in 12 countries around the world. In Australia, we commend the Victorian government in leading the way by passing legislation to ban any unconventional gas drilling in the state because of the unknown and unquantifiable and risks to the safety and security of public health, water and agriculture industries. We implore the panel to recommend that NT Government does the same.

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



In the final list of issues in Appendix 2, compliance and enforcement is mentioned in the following statement. "There may be a risk of inadequate monitoring or enforcement of compliance with the regulatory framework as a result of inadequate resourcing of the regulatory agency, inadequate expertise or training." The Panel quotes the UK Taskforce on shale gas acknowledging that there has been understandable concerns and fear in communities affected by the fracking industry due to lax operation standards which have led to negative health outcomes.

The Taskforce assures us however, that in the last few years, standards have improved dramatically and that we should trust the industry will follow best practice to ensure the safety and wellbeing of ourselves and the environment. The distrust that industry and government will safely regulate themselves has grown from years of dealing with the impacts of mining. Some would argue for many indigenous people, this distrust is deepened by the lived experience of colonisation, forcible removal from homelands and land exploitation for resource extraction. History is the best predictor of the future.

Darren Turner:

I would like to demonstrate now in NT industry continues to fall short of the tight regulations in place. Most recent and relevant in terms of threats to our water supply is the PFAS incident in Katherine. PFAS chemicals in the foam used at the RAAF bases including at Tindal near Katherine have seeped into the towns bores and infiltrated its drinking supply. A Four Corners investigation revealed the Defence Department were told the chemicals must not enter the environment as far back as 1987. However, throughout this time, chemicals were leaching into the groundwater and residents were not told their bores were contaminated until 2016.

Secondly, the uranium industry in Australia often boasts Ranger, Australia's largest uranium mine that operates within World Heritage listed Kakadu National Park is one of the most heavily regulated and monitored mines in the world. Despite this, the federal government's leading research body found cancer rates almost double in the indigenous populations living close to that mine. This study found no monitoring had been done in the last 20 years of the mine's impact on local indigenous health, despite over 200 known incidents, spillages or leaks of contaminated water into local environment. These spills included a large acid leach tank completely collapsing, releasing a million litres of acid, radioactive or slurry into the surrounding area.

And thirdly in 2007, the McArthur River Mine near Borroloola, 63 truckloads, or 14,000 tonnes of toxic matter were dumped at the site that was not designed to store acid forming material. The material then combusted as it is known to do in contact with oxygen, releasing sulphur dioxide into the air.

Esther Nunn:

Many people have engaged with this industry's process in good faith at every available opportunity and put in countless hours of unpaid time and energy in the hope that our opposition to fracking would be heard. We were suspicious when the expert number massagers ACIL Allen were chosen to do the independent economic impact assessment. We were outraged when the

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



Inquiry gave Alice Springs, a town of 30,000 people a mere three days notice for a community consultation.

But when the community consultation sham was exposed on the ABC, we realised where this Inquiry was heading. And this is reflected in the final draft report where the concerns of Indigenous and non-indigenous people is misrepresented as community concerns. Territorians continuously turn up to participate in the community consultation processes. Often there was unanimous opposition to fracking as was witnessed in Alice Springs where hundreds of people spontaneously stood with hands raised high in favour of the total ban on fracking. Where is this reflected in the report?

We refer to 26th of January edition of Rural News where a double page spread on the draft final reported stated, "It has gone against that people called for and buries opposition in the report while offering a blueprint for the gas industry to forge ahead." We do not have an exhaustive list of concerns that could be compartmentalised and individually addressed by recommendations, which may or may not in reality stop a risk from occurring. An overwhelming percentage of the population here in the Territory are ethically, politically and environmentally opposed to the fracking industry and said they want a total ban on fracking. This needs to be documented.

Health Professionals Against Fracking NT, we maintain our concern that lifting the moratorium on fracking poses an unacceptable risk to human and environmental health. Thanks.

Hon. Justice Pepper

Thank you. Just a couple of things. Four things in particular I want to mention and one I want to just follow up on with you. Actually three things I'll mention and one I want to follow up on. Firstly, we absolutely accept that the ... And I think we stated this publicly that the consultation that took place in Elliott by Triple C was totally, totally unacceptable and indeed that's why we asked that that work be redone by Coffey, which it was.

Secondly, as I've stated previously, it's not within our terms of reference to recommend that the ban be lifted or not. It was a political decision to implement the ban pursuant to community sentiment and it will be a political decision whether or not that ban is lifted. Again, that's a matter really in your hands. We were tasked with identifying the risks, assessing the risks and coming up with mitigation measures which we've done in our draft report. I accept that you have a contrary view and it's a very valid contrary view and you've made some powerful submissions today.

Third, let me read you a paragraph in the summary of the draft final report. "It must be noted that the strong antipathy surrounding fracking demonstrated during the first round of consultations held by the Inquiry, was also present during the second round of consultations. For a sizable majority of the people attending the public hearings and the community forums, the consensus was that hydraulic fracturing for onshore shale gas in the NT is not safe, is not trusted and is not wanted."

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



So, I'll just, don't think that we could have been much clearer with respect to our summation and it is a summation of the community opposition that we have witnessed by the people who've come to community forum and who have presented. It was stated in the interim report. It's stated in the draft final report and it will be stated very clearly in the final report as well. I can absolutely assure you of that.

The last thing, I just wanted to follow ...

- Esther Nunn: Could I respond to that?
- Hon. Justice Pepper With you, you said that uh, which community meeting are you talking about where we only gave three days notice?
- Esther Nunn: Alice Springs.
- Hon. Justice Pepper Alice ... which one? In your number ...
- Darren Turner: The last community meeting.
- Esther Nunn: Not the one that's tonight, but the previous one which was ... August?
- Darren Turner: Yeah, it would have been July or August.
- Hon. Justice Pepper All right. Well we will check that. That doesn't recollect or I should say that doesn't accord with my understanding of when notices were sent out. Obviously, we endeavour to make sure that they're put up, but certainly it doesn't accord with what I know as to when notices were sent out. But we will check.
- Darren Turner: Yeah it was in the Advertiser about three days before because we just got in from out bush and had no notice to change work or I was able to come because I was working on a later shift, but ...
- Hon. Justice Pepper Well, as I said, we can't ... It's out of our hands when things aren't published in newspapers and where they're placed, but certainly I will check when it was that we, we as in the inquiry, the task force sent out the notices. So when they left us and I will provide today, a letter today that date. Thank you.
- Any questions?
- Gem Walsh: Am I able to respond to something that you said?
- Hon. Justice Pepper Yes, yes please. Absolutely.
- Gem Walsh: You quoted the passage from the summary final report about community opposition. I believe part of the community opposition are the health professionals, the public health experts and people in the domain of health who have put forward very detailed reports outlining the risks to human

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



health that fracking poses and these voices were really notably absent from the public health chapter. And I believe when you ask, "What more could we have done to illustrate the community's opposition?" I believe you could have included the voices of public health experts and their opposition to fracking as experts in their field and as members of the community.

Hon. Justice Pepper      We will take that onboard and have a look at that in the context of chapter 10, which I think is where your, where that's specifically directed. Is that right?

Gem Walsh:      Yup.

Hon. Justice Pepper      All right, thank you.

Esther Nunn:      They're mentioned in two words in the introduction of the submissions. And eight is the footnote, and when you look at the footnote, you can see them all listed there. Doctors for the Environment, Public Health Association, Professor Melissa Haswell. So for all those people, it's fairly insulting to see their names in a footnote in such an important report, where their voice has so much weight in the Territory.

Hon. Justice Pepper      I understand the submission. Thank you for pointing out that they were referenced in the footnote. Thank you.

Yes, Professor Priestly?

Prof. Brian Priestly:      Yeah, I'll take onboard that particular point about perhaps making clearer the viewpoint of those health professionals who are cited in those footnotes. I want to just raise comment on your criticism of the use of the human health risk assessment report in that chapter. You've pointed out some of the inconsistencies and deficiencies of those reports and I think we acknowledge that there were deficiencies in that. What I think we will need to do, and I only use to provide examples of what health risk assessments have been done in this context in Australia. What I think I need to do is to go back and look at the weight that was placed on those and the way in which we ... As you've pointed out, there were inconsistencies.

What we've also said is that there is now much better advice available as to how to carry out such risk assessments. The reports that were published by the National Chemicals Risk Assessment from the Department of Environment and Energy, just before we finalised our report, do actually address the proper way of doing these sorts of risk assessments and we probably need to emphasise that a little bit more.

In relation to the comment that you made about, I don't resile from the idea that we need site specific human health risk assessments as part of the assessment process for this industry if it does go ahead. You criticised them as being industry designed. I don't agree with that particular statement. They are certainly paid for by the industry, but they're usually conducted by professional consultants who are experienced in doing this type of risk

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



assessment. A good risk assessor will address all of the issues that should be addressed in these risk assessments.

Esther Nunn: But they're being paid for by the industry.

Prof. Brian Priestly: Of course they are paid for by the industry. Who else would pay for it?

Esther Nunn: Well, do you think they're going to be biased really?

Prof. Brian Priestly: No I don't, because I know that industry fairly well and a good consultant will provide a professional report.

Esther Nunn: So they say, what do you want to say to that Gem...

Darren Turner: And I think that was the point in the submission was we acknowledge that you've critiqued those industry reports and looking at those reports they haven't documented pathways because they've said with their own health and safety, those pathways would never happen even though evidence has shown that those pathways do manage to happen. Because health and safety isn't as stringent as if we were all robots.

Prof. Brian Priestly: And that's actually a point we've been making in the ...

Darren Turner: But the point that we were making is after critiquing those, then using them to emphasise it's a low risk doesn't really make sense.

Prof. Brian Priestly: Well, as I've said, I think I need to readdress that particular weight that was put on those reports. But the assessment of low risk was based a lot on what had been discussed in the previous chapters about the potential for water contamination and so on. So, that was drawn, and perhaps that needs to be more explicitly stated in the chapter, that those risk estimates were based very much on the risk estimates coming out of previous chapters.

Esther Nunn: Which is based on unknown information like aquifers or movement of water between aquifers. If we don't know that information, how can you make an appropriate risk assessment on that?

Prof. Barry Hart: Can I answer that?

Esther Nunn: Sure.

Prof. Barry Hart: That's part certainly, but if you'd read the report, you'll see that in the water chapter at least that we're talking about there's many possibilities of contamination. But the two main sources, main pathways for contamination of an aquifer is a leaky well and the other one is spills and then subsequently to there. So, when we're talking about exposure pathways, you know the risk assessment process, probability and then consequences. So, we looked very seriously at the probabilities, and you can read there and make your assessment as to whether we've been overly ambitious or what, but we don't think we were. We think that the evidence is pretty strong for ... And

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



we've seen quite clearly that the most likely pathway is actually spills. But they will occur. Whether they get through to the aquifer is another matter.

But, can I just go back to that? So, you can certainly have a look at that and see whether you wish to proceed. With the human health aspects that you're talking about, as professionals, are you mainly concerned about mental wellbeing or is it air and water contamination? Are they all equal in your minds from this industry?

Esther Nunn: The thing about fracking is, as I said here we don't have individual, small concerns that you can compartmentalise and mitigate with recommendations that will say, "It's going to lower the risk of this thing happening so therefore you don't need to worry." There are so many things about fracking that we're worried about, which we've told you in all our submissions before. Mental health and social cohesiveness and wellbeing is just one that you've outlined in your chapter, chapter 10, one small section which I've spoken about.

Then of course we're worried about our aquifers. We're worried about water that's going to make us sick. Of course we're worried about air. In the last submission, when we responded to your chapter 10 on public health, it outlined every single little ... There was an air section. There was a water section. There was a mental health and wellbeing section. There were all those sections, so I'm not quite sure ...

Prof. Barry Hart: Well, I guess I'm saying that we are concerned about exactly the same things. The potential for contamination of aquifers is high on our radar and high on every community consultation that we've been to. So, we have gone through that in great detail and to say straight out that they're going to be contaminated I think you haven't really looked at the evidence. If you think that we've been overly ambitious, haven't considered certain papers etc., certain pathways, then I'll sure as heck look at them again. But, I don't think you can make a grand statement that it's always going to be contaminated.

Esther Nunn: We never said that it's always going to be contaminated.

Prof. Barry Hart: What did you say?

Esther Nunn: We're saying that the risk that our water could be contaminated is a lot higher than you give credit to in your report.

Prof. Barry Hart: Okay. That's where you stand.

Darren Turner: I think looking over at Queensland as well and there was the gas leaks in the Condamine River which were about four kilometres from the wells.

Prof. Barry Hart: Sure.

Darren Turner: And that was never acknowledged by the CSIRO they were saying these gas leaks could have come from anywhere. But, they had just turned up after the gas companies ...

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



- Hon. Justice Pepper There's a fact sheet on that which is actually quite useful, which we chased down. And you're right to a certain extent. I think the conclusion they came to was one of equivocality. But there is actually quite a ... It's on their website. It's quite a useful fact sheet saying there is some naturally occurring methane but they also acknowledge the fact, the possibility rather that it could have been as a result of the depressurisation caused by fracking that may have contributed to that. But there certainly isn't a conclusion there that the bubbling you see is absolutely caused by fracking.
- Darren Turner: And I think ... Yeah, that's a great example of the CSIRO backing industry rather than listening to people who farm that land. And it wasn't ...
- Esther Nunn: They've never seen water bubbling ...and you could light it on fire before...
- Darren Turner: The water wasn't bubbling there before fracking.
- Hon. Justice Pepper I understand that submission.
- Gem Walsh: Could I respond to you, Professor Hart? When you were saying that we had insinuated that contamination is definitely going to happen and what are we most concerned about. We're concerned that there is a huge body of literature that is peer reviewed and that has gone through the stringent process of appearing in peer reviewed academic publications and the study that you guys chose to use in your chapter 10 on public health, which is the main chapter that we've had the biggest issues with, was a non-peer reviewed study by McMullin et all. It was commissioned by a governmental body and it hasn't been subject to any of those same stringent, I suppose quality measures and checks on the accuracy of that information. And I'd like to know why that study was chosen over other articles that have been less aligned with your particular position of low health risks, but are more representative of what the body of literature itself points to, which is higher risks to human health being harmed by fracking.
- Hon. Justice Pepper I understand the position you put and we will go back and have a look at chapter 10, bearing in mind what you've said.
- Esther Nunn: Have you got nothing to say of why you chose McMullin et al?
- Hon. Justice Pepper Look, like I said, this is your opportunity to present to us. We will take onboard what you've said. You've criticised robustly and we thank you for that chapter 10 and we said we will go back and have a look at that.
- I do see the other presenters waiting patiently behind you. I just want to say one last thing. Community update number 17 was released on the 2nd of August 2017 which outlined in detail when the community forums would be held, including the Alice Spring forum that was on the 11th of August, 2017. So, for anyone who had registered and signed up to get our community updates, which many, many people have, the notification was sent out on the 2nd of August.
- Esther Nunn: Which was how many days? Nine days before?

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



- Hon. Justice Pepper Not three.
- Esther Nunn: Well, we only saw it in the Advocate three days before and this is a town of 30,000 people.
- Hon. Justice Pepper I'm not disputing that.
- Esther Nunn: Who may not be looking on the internet at your website.
- Hon. Justice Pepper I'm not disputing when you saw it. As I said, we have no control over when things are published. The way that we disseminate information which I think is relatively well known now, certainly from the feedback we have got from the community is through the community updates and that went out on the second of August.
- Esther Nunn: Okay. I'd just like to say one more thing, and I know Jimmy and Alec won't mind. I'll only take 30 seconds. In response to something you said about you guys being shocked at the community consultation process. Coffey's response to that outrageous community consultation was to send back in the same people and the people in those communities said, "We don't want them back."
- Hon. Justice Pepper Well, no AIS was sent back.
- Prof. Barry Hart: It's a different company.
- Hon. Justice Pepper Before ... Not Triple C.
- Esther Nunn: But Coffey wanted Triple C to go back in and the community said, "We don't want them back."
- Hon. Justice Pepper That's not the information that I have from Coffey. AIS was sent back in. Thank you.
- Yes, can we have the next presenters please?
- Darren Turner: Go to Dr. Alan?
- Gem Walsh: Did you want to ask a question Dr. Anderson?
- Hon. Justice Pepper Oh, my apologies. Sorry, I didn't see the finger raised down the end. It does have to be the last question. We do have our last presenters here.
- Alan Anderson: I just want to, for you Gem, you raise a really important concern of yours about fracking as you perceived it as being a continuation of the colonisation and dispossession process that's continuing to degrade Aboriginal culture and values. And I'm just wondering if you've got any experience with the Aboriginal experience with the Mereenie and Palm Valley gas fields that are you know, here in this region. Because the experience of the panel is it's actually been very positive and so we visited

THE SCIENTIFIC INQUIRY INTO  
**HYDRAULIC FRACTURING**  
IN THE NORTHERN TERRITORY



the Mereenie field and spoke with a number of Aboriginal workers who gave a very positive account of their experiences and didn't express any environmental concerns. Then, the previous submission by Dr. Rosalie Shultz described the Aboriginal experience there as very positive.

So, I'm just wondering if you've got any information that was suggested there are other views for the local Aboriginal people.

Gem Walsh: Sure.

Dr. Alan Anderson: And then maybe a bit more information about what your concerns would be then for the possibility of other gas fields.

Gem Walsh: I don't have the information related specifically to the Mereenie gas fields, but I believe you guys already have the information you need from the consultation process that has gone through remote Aboriginal communities from things like the joint statement that Aboriginal leaders have put together to say that they are opposed to fracking. They believe it will risk their cultural heritage. I'm not going to paraphrase what people have said because that's not my job. But, the voices are out there and if you are listening, then they should be heard and they should be documented and part of that is protecting cultural heritage. That's a very valid argument that's being put forward. I'm sure you've heard it in multiple communities.

Hon. Justice Pepper We have. We've listened to it. We're taking notice of it and it's been commented on and discussed and recommendations made in chapter 11. Thank you.