



Alice Springs - Heather McIntyre

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: Heather McIntyre

Heather McIntyre: Oh, thank you. My name is Heather McIntyre. Firstly I come here as a concerned citizen, and secondly I am affiliated with the Central Australia Frack Free Alliance but I am not representing it today.

Hon. Justice Pepper: So you're not speaking on their behalf today.

Heather McIntyre: I am not speaking on their behalf today.

Hon. Justice Pepper: Yes.

Lisa Grey: My name is Lisa Gray and I'm here as a concerned citizen as well.

Hon. Justice Pepper: Thank you. Yes.

Heather McIntyre: Okay, so I've been here before on your last round of hearings and I come again. Firstly I appear, as I've mentioned, as a concerned citizen and secondly as a member of CAFFA. I'm not a scientist but I appear today with grave concerns about the future of the NT. While I appreciate the work you have done on taking this report and with its 120 recommendations to mitigate risk, there however remains, as indicated in your report, a risk or risks. I can't help but agree with Rachel Carson, and I quote that "that no witchcraft, no enemy action had silenced the rebirth of new life in this stricken world. The people had done it themselves."

My concern is the potential catastrophic consequences, being the intention of your report, that unchecked or even checked industrialisation of a gas industry can have on humanity and its environments wherever it takes place. I acknowledge it's not your job to make a decision on either the way or the nay of the initiation of a new gas industry, but perhaps given your report acknowledges the risks in processing and proceeding, I live in hope that the report may lead to a new paradigm in which the NT Government may move to another source of power generation, but negates all risk of contamination upon all levels and in all categories to the environment, the water table, and mitigates the need to, again, dispossess indigenous people from their cultural lands.



It appears to me the elements to make such a decision are courage and bravery, foresight and vision. I do wonder if the NT Government is made of such substance or characteristics, although I have read your report. Again, I am not a scientist. So I am wondering if you could answer a couple of questions for me. One of them is about water. There is 40 million litres used for each well to be fracked during the 20 stages of the fracking process. That's one frack, I gather. However, my understanding of industry indicates each well can be fracked 8 to 10 times, so I suppose I'm wondering if that is correct. Meaning, one well equals 300 to 400 million litres during its lifetime, possibly. Each pad will have 10 wells. That's an awful lot of water. My concern is about water security. How will this happen? We just have to look at the moment, or we are reminded of water security, in that Cape Town is on countdown to zero days at the end of April because of the lack of water.

You have also suggested that the amount of water required for this to happen, this fracking to happen, can be transported where the ground water is inadequate. I guess I'm wondering what that would look like in terms of transport and environmental degradation as a result. Given the number of wells proposed in the Beetaloo Basin, let alone the rest of the Territory and the life of a well, which can be decades long, how is water security going to be managed?

So another question would be is; Do the 120 recommendations to mitigate the risks of fracking apply to the exploration process as well? I'm not clear on that. The words often used in the report is about the production process, so I'm not sure if that's the same as the exploration process. Therefore, do the rules apply to the exploration process as well? Therefore, how many wells will be fracked in the name of exploration? Therefore, I ask how many wells will be fracked in the name of exploration without a strategic regional environmental and baseline assessment if, in fact, exploration can take place without these guidelines, given that the fracking process for exploration is the same as actually fracking the production process.

I suppose I'm not naïve to think an industry will not happen. I have read the report. In light of that I have read the report there are some, I suppose, changes that I would like to see in some of the report. I'm not going over all the report, I'm just going over some section of it that pertains to some water and also exploration. So I go to Recommendation number 1, or 7.1, sorry, "that before any production licence is granted to extract onshore shale gas, that the Water Act be amended to require gas companies to obtain water extraction licence under the Act that the Government introduce a change." So I'd like to have that in there that this must be before exploration.

Then I go to 7.4 and I can read it out, but basically I'd like to say that a strategic regional environmental and baseline assessment, including a regional ground water model, be developed and undertaken for any perspective shale gas basin before any exploration, rather than production, so if we change the words.



Then I was going to 7.7. Well, this talks about drilling near existing communities. So I ask, I suppose, that the minimum distance to existing or proposed ground water bores be two kilometres as a minimum, and actually it's mandated as the absolute distance rather than it be open to negotiation by perhaps a land owner who may not be quite as informed about what happens in the process. That's Point 1 in 7.7. In Point 2, "that strategic regional environmental and baseline assessment must be completed before exploration. So, 7.8, that re-injection of waste water into deep aquifers and conventional reservoirs should be prohibited." And that's the end, perhaps, of that recommendation and we exclude the rest of it. And in recommendation 7.13, "that the re-injection of treated or untreated waste waters including brines into aquifers not be permitted." And we leave the recommendation there and we exclude the rest of it. And I go to 7.13, if I can find it here. Oh yeah. I think I just said that, didn't I? Yeah, 7.8 and 7.13, that those last aspects are excluded.

Then I go to page 4.23 which I'd like to say remains, which is about us being funded, I think.

Hon. Justice Pepper: Sorry, page 4.

Heather McIntyre: Sorry, clause.

Hon. Justice Pepper: Do you mean section or recommendation?

Heather McIntyre: Recommendation, sorry.

Hon. Justice Pepper: Sorry, that was recommendation. Sorry, can you repeat that?

Heather McIntyre: Recommendation 4.23. I suppose it's the urge that the government take on this particular recommendation that where litigation is brought generally in the public interest-

Hon. Justice Pepper: You mean 14.23.

Heather McIntyre: Yeah, sorry. What did I say?

Hon. Justice Pepper: 4. 4.

Heather McIntyre: Okay, my apologies.

Hon. Justice Pepper: No, that's all right. That's all right.

Heather McIntyre: 14.3.

Hon. Justice Pepper: Just want to be clear that-

Heather McIntyre: Yeah, yeah. 14.23, that that remains, and, you know, very much so.

Hon. Justice Pepper: Sorry, so you approve of that recommendation.



Heather McIntyre: I do approve of that. Yes. And there are quite a number that I do approve of if this process was going to, but I'm not sure I can name them all.

Hon. Justice Pepper: No, no-

Heather McIntyre: [crosstalk]

Hon. Justice Pepper: ... we're really more interested in the ones you want changes to. That's what we're-

Heather McIntyre: That's what I gather, yeah. So 14.26 also, "that the Government consider developing and implementing a tiered regulatory model such as the one in South Australia whereby gas companies with a demonstrated record of good governance and compliance require a lower level of monitoring with a corresponding reduction in regulatory fees."

My personal feeling is that needs to be removed. And, I suppose, the question is, why would you suggest a tiered approach to any regulatory framework you are suggesting the government should implement? For me, why should these companies have a lower level of monitoring or pay less fees? For me this is rather like trusting the management of the Commonwealth Bank. If with regulations they have found to be laundering millions of dollars for years and also responsible for manipulating the market with interest rates for their gain and where everybody thought they could be trusted, why would you therefore give consideration to these people, mining companies, notoriously known for manipulation of the market or, perhaps, environment or degradation, more to the point, to the environment? Therefore, I would urge you to delete this recommendation completely.

For me there have been a number of programs and articles on radio, television, newspaper and reports. I guess there will always be two sides to every argument, hence I stand on the side of the no-go community. I feel this is a senseless direction to move in given the length anyone would have to go to mitigate or reduce the risk but never eliminate the risk. I feel if Scotland can move to 100% renewable energy by 2020, although they achieved this in 2017, why can't the Northern Territory, when we have 365 days of the year of sunshine, move in the same direction? Again, it takes courage, bravery and a vision to go against the current pressure from the mining companies and Federal Government.

However, wherever this decision falls I refer to your report on page 49 which says, "Based on the scientific evidence it has examined to date, the panel has concluded that there is a substantive lack of baseline data required to inform understanding of the territory's unique environmental values, adequately assess the risk profile of any onshore shale gas industry in the NT, facilitate strategic water and land use planning and fully inform issues associated with social impacts, human health and Aboriginal people and their culture."



Given the magnitude of the problem, the Panel has provided specific guidance on the scope and content of the environmental assessment and baseline studies required to develop any onshore shale gas industry in the NT if the Government decides to lift moratorium. The Panel strongly recommends that such assessments must be carried out prior to any production approvals being granted.

So, for me, therefore, for baseline studies to take place, which could take years, three years, five years or longer, therefore I would urge that the moratorium remain in place for the duration because there are really too many risks.

Hon. Justice Pepper: Thank you.

Heather McIntyre: Thank you.

Hon. Justice Pepper: Thank you. Let me just explain, but in no way seeking to change your mind but the tiered approach in South Australia is really a carrot and stick approach and that has worked quite well in that jurisdiction so effectively, at the risk of over simplification, what happens is that everybody starts off on the assumption that they are a bad operator and they have maximum surveillance, maximum monitoring, maximum fees. Then over time, if they prove to be a good operator, they slide down the scale with less compliance needed, less fees applying.

The South Australians, and we have visited the regulator there twice and looked at their model, have indicated to us, and it seems to bear out on the other figures, but that proves to be a very powerful incentive to companies to do the right thing and to actually abide by the conditions of their approvals because nobody wants to be subjected to more surveillance and higher fees. It's actually worked very well as a mechanism to ensure compliance, as opposed to well everybody's just stuck in the same boat, so there's less incentive perhaps on one view to comply.

That's the South Australian approach. Perhaps it needs to have a little more explanation in the final report but that's why that recommendation is there.

Heather McIntyre: Thank you. We can only hope. Thank you.

Hon. Justice Pepper: Any questions?

Yes, Professor Hart.

Prof. Barry Hart: Just your comment about the amount of water used. The 40 million that you talked about, 40 gigs, I'm sorry, megalitres.

Heather McIntyre: Megalitres

Prof. Barry Hart: Million.

Heather McIntyre: Yeah.



- Prof. Barry Hart: That's for a whole frack.
- Heather McIntyre: One frack?
- Prof. Barry Hart: No not one frack, the whole lot, so generally you can work on about 2 megalitres, 2 million, for the drilling and about 1 to 2 megalitres for each frack. If they do 20 fracks, then that's 2 plus 40, 42. So the 40 is for the whole hydraulically fracked one well.
- Heather McIntyre: Duration. Yes. One well.
- Prof. Barry Hart: One well. Okay, so then you multiply.
- Heather McIntyre: Okay, great. Thank you for that.
- Hon. Justice Pepper: Any further questions or comments? Yes, Dr. Smith.
- Dr. Ross Smith: Just one clarification. When you requested or suggested a change in the offset distance to 2 kilometres what was the basis of that recommendation to us? Why that particular number?
- Heather McIntyre: I think it's just a precautionary measure really at this stage. A precautionary measure I think both in noise factors as in water contamination, as in transport to a community, so it's a number of aspects.
- Dr. Ross Smith: Thank you. I think the number you're referring to in the recommendation was more about draw down potential and ground waters, so that was the rationale on that one based on some data sets.
- Heather McIntyre: Yes, it was. That's right. It was suggested that it was about one metre, of that draw down change, is that right?
- Dr. Ross Smith: That's right. Thank you.
- Heather McIntyre: Thank you.
- Hon. Justice Pepper: Thank you very much for coming to present today. Thank you.
- Heather McIntyre: Thank you.