



Questionnaire on shale gas fracking, to all political parties and candidates contesting the August 2016 Territory election

Please answer **Yes** or **No** for each of the following questions. Feel free to also add additional comments to your answers.

Your answers will be made available to the public via Lock the Gate, the Northern Territory Frack Free Alliance and community networks across the Territory.

1) Will you set up an independent scientific panel of experts to provide binding advice on the issues surrounding shale gas fracking and its social, environmental and public health impacts?

YES – See below

NO

Optional comment:

Territory Labor will implement a moratorium covering all unconventional gas prospecting exploration and extraction activities that will continue until the expiration of or the completion of:-

- a) An independent expert advisory panel who will undertake a scientific inquiry which will include a peer review of all work done on the unconventional gas industry in the Territory and will review recent science and its reported environmental impacts. The inquiry will include critical baseline groundwater and surface water studies to be undertaken; baseline fugitive emissions data collection; fault line mapping; baseline health impact assessment; and the identification of priority areas for protection in no go zones.

The panel will consist of reputable independent experts from fields such as environmental and biological science, water resources, eco toxicology, workforce planning, petroleum regulation and public health.

Labor will set into place world leading environmental protection policies, regulations and processes that will be properly funded to do their job.

- b) A thorough community consultation process during and following the panel report. The consultation would include relevant stakeholder and community groups and is to be transparent, genuine and will include regional and remote consultation such as landholders, traditional owners and their representatives and unions

- c) Development of the regulatory framework ensuring appropriate environmental protections and safeguards

At the end of this process labor in government will decide to either:-

1. Ban hydraulic fracturing;
2. Allow hydraulic fracturing in highly regulated and tightly prescribed areas.

Full details of Territory Labor's policy can be found at:

<http://territorylabor.com.au/Labors-Plan/Fracking>

2) Will you ensure full baseline studies of ground and surface water quality and quantity are undertaken and publicly available before drilling for shale gas commences?

YES – see answer to question 1 above

NO

Optional comment:

3) Will you prevent the risks of shale gas fracking in the Territory by halting the industry until it can be proven safe, by:

- A ban on any development of the shale gas industry for at least 5 years

- A moratorium on shale gas drilling until science and community concerns are fully researched and resolved - Yes

- Other, please outline: See answer to question 1 above.

4) Will you support the right of landholders and Traditional Owners to say no to shale gas extraction on their properties and lands?

YES

NO

Optional comment:

5) Would you support a chain of responsibility for resource extraction framework that:

Ensures parent companies of mines and executives are responsible for financial clean up of pollution even if companies go bankrupt during mining or rehabilitation, to ensure the burden does not fall on the local landholder or the NT Government?

YES

NO

WILL BE CONSIDERED

Optional comment:

Territory Labor will consider all advice and suggestions from the community consultation and expert panel inquiry which would take place during a moratorium.

Territory Labor has also a comprehensive plan to reform the Northern Territory's system of environmental regulation.

Regulatory Reform

A Labor Government will:

Transfer all environmental approval, assessment, oversight and enforcement powers to the Department of the Environment and the Environmental Protection Authority and properly fund these enforcement bodies to do their jobs;

Strengthen the powers of the EPA to enforce regulation and punish non-compliance;

Close the loophole which allows major projects to escape an Environmental Impact Assessment (no repeats of the Port Melville debacle);

Increase the transparency of mine management plans and environmental management plans;

Ensure penalties for non-compliance and environmental bonds are appropriate; and

Ensure carbon pollution is considered when assessing environmental impacts of large developments.

New Environment Protection Act

A Territory labor Government will transform Waste Management and Pollution Control Act into a fully functioning Environment Protection Act consistent with national and international experience and tailored to local needs. Build on existing provisions of WMPC Act to ensure:

- Expanded (risk based) list of actions and activities requiring approval and licensing - including ports
- Capacity to address all environmental issues in approval conditions (not just waste and pollution issues).

- Removal of any overlapping environmental approval requirements or practices in other "non-environment" legislation to stream line regulation for industry
- All Environmental Management Plans (EMPs) to be enforceable as conditions
- Improved public participation and disclosure in decision making including full disclosure of EMPs and compliance reports from approval or licence holders
- Fold the environmental provisions of the Mining Management Act into the new Environment Protection Act with delegated capacity for administration by DME.
- As part of this reform, remove the watering down by CLP of MMP disclosure to the public. Mine Management Plans and annual performance reporting for all Northern Territory mines will be publicly available.

Comprehensive reform of the Environmental Assessment Act

- Introduce mechanism for matters of Territory significance and desired EPA environmental outcomes to be defined up front as the focal point for environmental assessments – more certainty for industry and the community
- Create a single, formalised requirement for proponents to prepare referral documents to the EPA - the current regime sees projects fall through the cracks (e.g. Port Melville) and referral documents have no consistency in format or quality (supposed to be referral by Minister to Minister but this never happens in practice, Notice of Intent referral commonly used has no legal status).
- Public disclosure of all projects referred - new process created for public notification and comment on a referral and the need for an EIS, prior to EPA decision. All referral documents to be made public as part of this process not just the few that require an EIS (as is currently the case). EPA to be obliged to consider comments
- Outcome of all EPA decisions on a referral to be made public along with reasoning.
- Introduce a new lower level assessment for projects that need more scrutiny but not an EIS. Amend Public Environment Report (PER) level to ensure this becomes a workable mid-level assessment option.
- Improve linkages of outcomes between the impact assessment and the expanded approval and licensing arrangements under the new Environment Protection Act. The EPAs recommendations will have a more direct pathway into setting of conditions.

As part of above reforms Labor will create a new user friendly public portal to make it easier for the community to participate and access environmental decision making.

Decisions made under this new suite of laws will be reviewable / appealable decisions under NTCAT.

Further details of the policy can be found at:

<http://territorylabor.com.au/Portals/territorylabor/docs/HealthyEnvironmentStrongEconomy.pdf>

6) Will you support a truly independent EPA with the lead assessment, enforcement and compliance power over fracking and mining companies? Will the EPA set strict regulations on waste management and pollution by shale gas companies and hold operators legally and financially accountable?

YES – See below

NO

Optional comment:

Territory Labor has also has a comprehensive plan to reform the Northern Territory's system of environmental regulation (see answer to 5 above).

7) Will you review currently approved onshore gas areas and implement 'no go zones' over drinking water catchments and groundwater recharge areas, regional and remote community living areas and important tourism regions, so they are protected from onshore shale gas fracking?

YES – See below

NO

Optional comment: As per the answer to question 1 above, the independent expert advisory panel scientific inquiry that would take place under a Labor Government would involve the identification of priority areas for protection in no go zones.

8) In the event of water contamination in areas of the NT targeted by shale gas fracking, do you support a policy where it is up to the companies involved to prove they didn't contaminate the water? (This would replace the current system where the onus of proof falls on the landholder to prove their water was clean before shale gas extraction operated in the area.)

YES

NO

WILL BE CONSIDERED

Optional comment: Labor's comprehensive plans to reform environmental protection laws are detailed above (answer 5).

In addition, Labor will consider all advice and suggestions from the community consultation and expert panel inquiry which would take place during a moratorium.

9) Will you mandate under law that shale gas companies must hold comprehensive environmental pollution insurance before they can operate in the NT and that they hold a substantial bond for at least 25 years after fracking concludes to cover any future damages?

YES

NO

WILL BE CONSIDERED

Optional comment: Labor's comprehensive plans to reform environmental protection laws are detailed above (answer 5).

In addition, Labor will consider all advice and suggestions from the community consultation and expert panel advice which would take place during a moratorium.

Thank you for completing this survey that is of great interest to Territory residents. Please email your completed questionnaire to FrackFreeNT@gmail.com.