

**From:** Leonie Nelson  
**To:** [EPSC EPSC](#)  
**Cc:** [REDACTED]  
**Subject:** Water Amendment Bill 2019  
**Date:** Wednesday, 6 March 2019 12:01:38 AM

---

Dear Economic Scrutiny Subcommittee,

When is ruining the Territory going to stop? It is already on the brink of destruction. With it being so expensive to live or own a business. The more these proposals get through, the further the destruction becomes. It creates a small economy boost to suck us in, which in turn creates price rises in all products and industries, then suddenly it ends (as though it wasn't expected) but prices stay the same or again increase in attempt to gain the same flow. This then forces long time locals, that had never considered to live in another state, to move. The flow on effect never returns to how it was.

With this said Fracking is only going to do the same, along with ruin what is most important to Territory, Our Outback! Can you imagine life without the fishing we currently love, life without Litchfield and Kakadu, Flora and Fauna destroyed or completely eliminated.

If you think this is not going to happen because of the greed you are kidding yourself.

I have seen myself the shambles out at Inpex, the mistakes, the changes and the money continuously wasted (on southern companies to) It would be impossible for Fracking to have no major issues or problems faced and I hate to imagine what disasters would follow. There is no way such a large ambition would not have anything go wrong. How can you even consider taking this risk?

**STOP RUINING THE TERRITORY!!**

Thank you for the opportunity to raise my concerns with the Water Amendment Bill 2019.

Firstly, I'm very concerned with the drafting of section 17.2B.

17.2B currently reads that a fracking company is not liable for offences if they pollute ground water with fracking waste water during the process of hydraulic fracturing. This is absolutely unacceptable. The definition of ground water in the Act includes aquifers. This section must be updated to ensure a fracking company cannot hide behind 17.2B to avoid pollution liability if they pollute an aquifer with fracking waste while fracking.

This is made worse by the current Water Act at 7(2)(b), where the Act allows water pollution 'confined within the mining site or petroleum site'. It is critical that the site is clearly defined, long term movement of pollution is considered, and that polluting an aquifer at a fracking site is a high order offence.

I am also concerned that the offences stepped out in 17A subsections (1)-(4) do not reflect modern standards for environmental offences. As drafted, in order to have been found to cause an offence, it must be proven that the fracking company had knowledge or intention to cause the offence, or was reckless in behaviour.

It's very difficult to prove intent. It's also critical that fracking companies are accountable when they make mistakes and cause accidents that pollute water. Fracking is a risky industry. These are not best practice environmental offences. They are not even consistent with other offences in the Act which were amended in late 2018. Modern standards require a strict liability offence, the reversal of the burden of proof, and increased penalty amounts. Section 17A must be redrafted to reflect these standards.

Finally, I'm very disappointed that these ad hoc changes to the Water Act are happening without a chance for Territorians to see the full collection of changes being proposed. There are supposed to be further changes in regulation that relate to water protection in the Codes of Practice under the Petroleum Act and Petroleum (Environment) Regulations. But the community hasn't had a chance to see these yet. We should have had ample opportunity to read the full extent of all the changes, alongside considering changes to the Water Act.

There has been very little public consultation or community meetings to get into the details. There have been no remote community consultations on these matters. The community has not been actively approached for interactive feedback on one of the most important legal and policy challenges facing regional areas of the Northern Territory: fracking.

We request that the Subcommittee recommends far more meaningful consultation to hear from Territorians into the future.

Thank you for the opportunity to have my say on this Bill.

Yours sincerely,

Leonie Nelson

[REDACTED]

---

This email was sent by Leonie Nelson via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Leonie provided an email address [REDACTED] which we included in the REPLY-TO field.

Please reply to Leonie Nelson at [REDACTED].

To learn more about Do Gooder visit [www.dogooder.co](http://www.dogooder.co)

To learn more about web protocol FC 3834 visit: [www.rfc-base.org/rfc-3834.html](http://www.rfc-base.org/rfc-3834.html)