

**From:** Vicki Stephens  
**To:** [EPSC EPSC](#)  
**Cc:** [REDACTED]  
**Subject:** Water Amendment Bill 2019  
**Date:** Monday, 11 March 2019 1:51:54 PM

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Dear Economic Scrutiny Subcommittee,

Having just had a lousy wet season and knowing Manton Dam is not looking too good for getting us through to next wet I abhor the idea that the fracking industry 95% of Territorians don't want is going to be using our clean water only to return it to us full of toxins.

I do have to ask government "Are you insane???"

What are you going to do when poisoned water and land is all we have left in the NT?

Buy bottled water from China perhaps?

Everyone associated with not protecting our water will be damned by history and rightly so.

What are you going to tell your grandchildren about your career and the decisions you make here?

There are only a few things we really need to survive, clean water is at the top of that list.

If you want to bend over backwards to appease the frackers just remember 95% of us are going to despise your choices and your lack of morals.

The very least you can do is make regulations as tough as possible and make the industry pay for all they destroy.

Anything less makes you a traitor to our people and our country.

You have a chance to do the right thing, don't blow it.

You know what happens to governments who ignore the will of the people over and over?

It disgusts me that we are still having to fight our government to maintain our clean water, air and land.

At a time when more intelligent people around the world are doing all they can to protect precious water you are considering making things way too easy for the industry which should be banned from our country anyway.

**GRANNY IS NOT BLOODY HAPPY!!**

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,

Vicki Stephens

██████████ Northern Territory, 0830, Australia

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