**Briefing:**

**January 2017**

**No Fracking WAy**

Why it’s time for a moratorium on unconventional gas and fracking in Western Australia.

**Summary:**

*A growing number of governments have banned unconventional gas extraction and fracking because of the risks and impacts on public health, the economy and the environment. As the scientific case against the industry has strengthened, so too has the scale of public opposition.*

*With water availability already such an issue, WA is particularly vulnerable to aquifer depletion and contamination by unconventional gas. West Australians, like voters in the eastern states, must have the opportunity to make an informed decision on whether this industry becomes established here.*

*To ensure both the science and the views of the people of WA are properly included in that decision, the new State Government in March 2017 must be committed to:*

1. A statewide moratorium (temporary ban) on unconventional gas and fracking. This must protect WA for five years while an independent consultation and science-based review determines whether the industry is safe and welcome.
2. An immediate permanent ban in sensitive areas such as National Parks, productive farmland and water catchments.
3. The right for farmers, leaseholders and Traditional Owners to say no and refuse gas exploration and production on their land.

**Introduction: the threat to WA’s water**

Western Australia’s globally renowned vineyards, agriculture and tourist destinations are critically dependent on one resource more than any other: water. So too, in this dry and drying state, is the bulk of WA’s population – with rainfall declining the people of the Perth metro area in particular are more dependent than ever on the Yarragadee groundwater aquifers.

Yet this and other vital water sources are at risk of serious and irreversible contamination by the unconventional gas and fracking industry. In response, a huge and growing statewide movement is calling for immediate legislated action to protect our water, health and the environment from this polluting and accident-prone industry.

The United States Environmental Protection Agency has just (December 2016) released a major report detailing numerous serious impacts on water by the fracking industry. These impacts, including contamination and over-extraction from water-stressed areas, are happening at every stage of the unconventional gas process.

We have the opportunity – and the duty – to learn the lessons from the US before putting our own precious water at risk.

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No social licence

Public opposition has been fuelled by a growing awareness of both the scientific case against the industry and of the impacts on communities when the gas companies move in. Communities are increasingly aware of how little there is to be gained in risking the impacts of unconventional gas and fracking.

For example, the International Energy Agency is flagging a global gas glut that will create at least a decade’s oversupply; Renewables and energy efficiency are rapidly reducing the market for gas; and the industry has a proven record of destroying more jobs than it creates, whilst absorbing more tax payer subsidies than it pays.

In all recent state elections, unconventional gas has been a major issue that has shifted votes and resulted in seats changing hands. Decision-makers who continue to support the unconventional gas industry are increasingly finding themselves on the wrong side of public opinion.

We can learn the lessons from other states and countries – unconventional gas and fracking is a concern for voters of all political persuasions; we need to put our communities first.

The growing popular movement against unconventional gas and fracking

The campaign against unconventional gas and fracking has been described as the greatest social movement in Australia’s history. Hundreds of communities have already declared themselves ‘gasfield free’, with 75 in Victoria alone driving the Government there to permanently ban unconventional gas.

Western Australia is fast growing its own anti-fracking movement: an increasing number of South West, Mid West and Kimberley communities are rejecting the industry, with metro communities also joining calls for a statewide ban.

Top right: Gasfield Free declaration, Chittering. Bottom right: mass demonstration for a fracking ban in Victoria

Why unconventional gas and fracking is being banned

After nearly two decades of activity, primarily in the United States, unconventional gas has left a damaging legacy increasingly well documented in peer-reviewed journals, court cases and community testimonials.

For example, a review of 685 research papers published between 2009 and 2015 found that 84% of public health studies, 69% of water quality studies, and 87% of air quality studies linked the industry to serious harmful effects.

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The documented impacts include:

- **Public health**: unconventional gas operations are associated with increased frequency of skin and respiratory symptoms, increased hospital admissions for heart and nerve problems, decreased average birth weight and increased heart defects. Recent research⁶ from Yale University has confirmed the process releases carcinogenic chemicals to air and water, including those linked to childhood leukaemia.

- **Air quality**: unconventional gas operations increase local air pollution, itself a well recognised public health risk. As well as explosive and climate changing methane, these gas projects release highly toxic chemicals including benzene, volatile organic compounds (VOCs), formaldehyde, hydrogen sulphide, diesel fumes and ground level ozone.

- **Water quality**: the US EPA has just published a damning report⁷ documenting serious impacts on water at every stage of the unconventional gas process. These include over-abstraction, and contamination of surface and ground water including from fracturing fluid migration along faults, from leaking wells, leaks and spills from surface containment ponds, and from waste water disposal. With climate change reducing rainfall across the state, WA’s dependence on already over-stretched groundwater sources leaves our agricultural and drinking water supplies highly vulnerable to contamination.

On a local level the impacts of unconventional gas and fracking include industrialisation of rural Western Australia, rapid disruption of social and economic structure, and a rise in mental health issues and conflict within previously cohesive communities⁵.

### Why the WA Parliamentary inquiry on fracking was a ‘profound disservice’ to West Australians

1. The terms of reference of the inquiry were set and interpreted so narrowly as to omit vital considerations as to the impacts of the industry
2. Even within its terms of reference the inquiry consistently failed to properly consider academic literature and community experiences associated with fracking around the world
3. The academic, political and economic picture is developing so rapidly that even a more robust and accurate report would have dated significantly since the WA Committee deadline for submissions in late 2013.

“The failure of this inquiry’s terms of reference to investigate and report on the potential public health, social and environmental impacts of hydraulic fracturing for unconventional gas, internationally recognised as major ‘implications’ of this industry, renders the inquiry insufficient to meet its aims and is a profound disservice to the public interest and all West Australians.”

The National Toxics Network.

On a global scale, it is now clear unconventional gas is at least as bad for the climate as coal⁸. This means WA must leave this gas in the ground to avoid dangerous climate change, and to safeguard its internationally renowned wine and farming industries in an increasingly hot and dry climate.

It also means, given the inevitable national and global transition to a low carbon economy, that investment in this industry could soon represent a massive stranded asset for the WA economy.

### Regulations cannot prevent damage from unconventional gas and fracking

A growing number of governments have decided that unconventional gas, including but not limited to fracking, poses serious risks that cannot be controlled through regulation. As a result, New York State and Maryland, Scotland, France, Germany and other national and subnational governments have enacted bans and moratoria.

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In Australia, Victoria has banned all unconventional gas activities, Tasmania and the Northern Territory both have moratoria in place, and five proposed gas projects were shut down in NSW. After the South Australian Parliament’s Natural Resources Committee recommended against unconventional gas in the State’s South East, the opposition Liberals announced plans for a ten-year regional ban on the industry if elected in 2018\(^\text{10}\).

The evidence from the US in particular is that regulation and management regimes have not been able to protect water supplies, health and the environment\(^\text{11}\). Regulatory systems are failing to constrain this industry here in WA. Key elements of WA’s own regulations have been shown to be ‘legally unenforceable\(^\text{12}\).

### Why Western Australia needs a robust public consultation and a science-based review.

West Australians deserve a thorough review of the scientific case for and against unconventional gas and fracking in their state – and a properly informed opportunity to have their say as to whether the industry should be allowed to develop.

Until such a review and consultation has taken place, the next Government of Western Australia should:

- Enact a moratorium on all unconventional gas activities, including fracking, across the State, which remains in place for a minimum of five years and until thorough community consultation demonstrates the support of affected communities, landholders and Traditional Owners; and a robust, independent, scientific process demonstrates that the industry will not have adverse impacts on the environment or health (including in the form of increased greenhouse gas emissions).
- Permanently ban all unconventional gas activities in sensitive areas including: National Parks and conservation reserves, productive farmland, groundwater areas, National Heritage listed areas, drinking water catchments, floodplains, buffer zones for communities, and tourism zones.
- Reject any unconventional gas proposals that do not have the expressed consent of affected communities, and enact legally binding rights for landholders, leaseholders and Traditional Owners to say no and reject gas activities.

### Conclusion

Concern about the risks and impacts this industry poses to WA is felt across the political spectrum, in all walks of life, and in every corner of the State. The March 2017 election is an opportunity to act on that concern, to protect WA’s water, health, environment and economy, and to avoid the legacy of a dangerous, unpopular and accident-prone industry.

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