Briefing: The case for a permanent ban on unconventional gas and fracking in Western Australia.

May 2017

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. In WA, onshore gas exploration leases have been issued across large areas, including farms, tourism areas and groundwater resources.

Communities across the state have been active in a groundswell of support for a frack free Western Australia. The McGowan Labor Government was elected in March 2017 with commitments to:

- A statewide moratorium on fracking until an inquiry can demonstrate the process will not compromise the environment, groundwater, public health or contribute to climate change;
- A permanent ban on fracking in the Southwest, Perth, Peel and Swan Valley;
- No fracking in the Kimberley without the approval of Traditional Owners.

An inquiry into fracking will now be held by the WA Government. This is an opportunity to review the latest science and to involve WA communities in a decision that will have impacts for generations to come. It is an opportunity to build the case and demonstrate support across the state for a permanent ban on unconventional gas and fracking in WA.

Introduction: the threat to WA’s water and health

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. Gas exploration licences have been issued as far south as the Gnangara Mound, critical to Perth’s drinking water supplies

Our health is also at risk, but to date this has been seriously underestimated by the WA government.

A critical review¹ of the 2015 Parliamentary Committee Inquiry and Health Department Reports into fracking raises serious concerns. These include a failure to acknowledge the recommendations of health professionals and the latest research, excessively narrow terms of reference for the reports, and bias in the interpretation of the views of industry over those of affected communities.

Lack of 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. Though little more than a dozen sites have been fracked so far in WA we’ve already seen serious leaks and other mishaps in the Kimberley, Mid West and Southwest. Meanwhile news continues to spread of the appalling impact the industry has had in the eastern states on overseas. As a result communities are calculating how much could be lost in risking the impacts of unconventional gas and fracking, and how little there is to be gained.

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.

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 ‘gas 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: 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.

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 research 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

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chemicals including benzene, volatile organic compounds (VOCs), formaldehyde, hydrogen sulphide, diesel fumes and ground level ozone.

- **Water quality**: the US EPA recently published a damning report\(^7\) 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 fracking 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.

Locally, unconventional gas and fracking industrialises rural areas, rapidly disrupts social and economic structure, and creates mental health issues and conflict within previously cohesive communities\(^8\).

### Why the 2015 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 coal\(^9\). 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 the fracking industry cannot be controlled through regulation. As a result, New York State and Maryland, Scotland, France, Germany and many others have enacted bans and moratoria.

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 Southeast, the opposition Liberals announced plans for a ten-year regional ban on the industry if elected in 2018\(^10\). 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\(^11\), and key elements of WA’s own regulations have been shown to be ‘legally unenforceable’\(^12\).

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This being so, the WA Government should extend its welcome Southwest-to-Swan Valley regional bans such that unconventional gas activities are immediately and permanently banned 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.

The Inquiry is an opportunity for robust public consultation and 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.

With serious gaps in our understanding of WA’s subterranean and surface water systems, for example, such a review would require years of research before there were even any chance a green light could legitimately be given to unconventional gas and fracking. Companies currently fracking in WA literally do not know what they are doing to our groundwater systems.

To do justice to both the science and West Australian communities’ views on fracking the Inquiry must:

• Have involved all relevant government departments as well as additional independent experts in defining the scope and Terms of Reference for the Inquiry. These must include proper baseline assessments and be sufficiently wide to include all significant concerns and the latest international and local evidence.
• Consider all the likely impacts of unconventional gas activities across a range of areas including but not limited to health, water, environment, agriculture, communities, heritage, climate and WA’s economy.
• Draw on the recognised expertise of state, national and overseas authorities in relevant fields as above, with reference to the latest peer-reviewed science.
• Be thoroughly independent, impartial, transparent and evidence-based.
• Involves thorough community consultation and participation, designed according to internationally recognised best practice e.g. the Aarhus Convention, and including hearing experiences of people in WA, the eastern states and overseas who have lived or worked in or near unconventional gasfields.

Conclusion

Concern about the risks fracking poses to WA is felt across the political spectrum, in all walks of life, and in every corner of the State. The scientific case for a statewide ban on unconventional gas is undeniable; as awareness of the industry’s impacts grows the public demand for a ban grows overwhelmingly clear too.

The Inquiry is an opportunity to act on these concerns, to protect WA’s water, health, environment and economy, and to avoid the legacy of a dangerous, unpopular and accident-prone industry by permanently banning unconventional gas and fracking in Western Australia.

For more information please contact Frack Free Future – info@frackfreefuture.org.au.