

Respected Inquiry Members,

Thank you for the opportunity to submit an opinion on the proposed legislative amendments.

On August 3rd 2003, at a public meeting in Narabri, the then APPEA Spokesperson Mr. Ross Dunn of Dart Energy, stated that it was inevitable that CSG drilling activities would have an impact on aquifers.

This public admission of a well known fact within the industry should have been a constructive first step in building a constructive relationship between the various stakeholders.

The general public nowadays has access to the internet and has the ability to conduct their own research into matters that are of concern to them such as aquifer interference.

As a result, the public actually knows the answer to their questions before even asking them. So it was a positive step to have an industry spokesperson that we could maybe believe and trust enough to actually work with.

Unfortunately APPEA has now adopted the 4D Mantra.

DENY there is a problem

DISCREDIT any adverse scientific studies conducted

DENOUNCE the authors of any adverse scientific studies

DONATE to the University or Organisation that is responsible for the adverse findings with a view to influencing the language of the final summaries resulting from any future scientific studies.

This mantra, which was also used by the Tobacco and Asbestos Industries last century, can only work when there has been no Scientific Baseline Studies conducted and is only ever a delaying tactic.

The fact that the Oil & Gas Companies have been allowed, with Government approval, to proceed with their activities without adequate baseline studies has given the Gas Industry a legitimacy that it doesn't deserve.

The affect of this perceived Government legitimacy is to effectively transfer the Burden of Proof that CSG Mining activities will impact on aquifers onto the Australian Public.

Without the missing baseline Studies this is impossible to prove in a Court of Law.

The American Government had to pass legislation to allow Unconventional Extraction techniques to be carried out without proper Scientific Baseline Studies conducted and as far as I know this legislation has no legal standing here in Australia.

Bearing in mind that Mr. Dunn's statement effectively commits the Gas Industry's PR assertions to the waste paper basket, then it is now surely the responsibility of the Gas Companies to Prove that they won't have an impact on aquifers.

Now the Onus of Proof has been transferred to the Gas Companies and until they are able to supply the verifiable science, which does not exist, then they should not be allowed to proceed with any exploration activities near any of our valuable and productive water systems.

If the proposed legislative amendments do not place the Onus of Proof squarely as a requirement before Approval to Proceed is granted then the Government will have failed the Australian Public.

Once again thank you for this opportunity to submit my opinion.

Yours sincerely,  
Colin Duncan