

27th November 2012

Deputy Premier, Minister for State Development
Hon. Mr Seeney, MP
PO Box 15009
City East Qld 4002

Dear Deputy Premier,

RE: Power of Government to cease activities that are deemed environmentally harmful

We understand that the Queensland Gasfields Commission plans to commission scientific studies to understand the risk to aquifers of CSG development particularly with respect to the Condamine Alluvium. In the event that these studies uncover an unacceptable risk to the aquifers, BSA seeks assurance from you as Deputy Premier and Minister for State Development, that the Government has the power to stop CSG activities in a region if the risks are found to be high.

Whilst we recognise that petroleum tenure holders, Government and communities have different thresholds for what constitutes unacceptable harm or risk, we firstly request clarification on State Government's capacity to act.

Secondly, we seek to understand that if the Government does indeed have the power to act, then how will it decide when to act?

We understood that the whole idea of the Adaptive Management Regime was to enable government to intervene and halt activity where necessary, if risks became unacceptable. This was the basis on which the community assumed Government allowed the industry to continue.

BSA notes however the findings from the recent paper entitled "Regulating Coal Seam Gas in Queensland: Lessons in an Adaptive Environmental Management Approach" by Dr Nicola Swayne (see attached document). She concluded that

"A radical paradigm shift in the Queensland regulatory approach would be required for an effective adaptive environmental approach to occur. This would require, among other matters, that the adaptive management approach be integrated into statutory provisions for the approval and management of CSG projectsa truly adaptive environmental management approach must be able to embrace the hard decisions that go with "learning by doing" including the ultimate decision of ceasing CSG activities in Queensland in the face of significant information gaps and/or an unacceptably high risk of cumulative adverse impacts."

We seek your reassurance on this point. Is Dr Swayne right on this issue? If so, does the government propose to take such a “radical paradigm shift” in the Queensland regulatory approach so that it can make the ultimate decision of ceasing certain CSG activities in Queensland if faced with significant information gaps and/or an unacceptably high risk of cumulative adverse impacts?

As adaptive management is a centrepiece of the Governments strategy for dealing with CSG impacts, we look forward to your response to the extremely important issue.

Yours sincerely,



David Hamilton
Chairman
Basin Sustainability Alliance
www.notatanycost.com.au

CC:

Minister for Environment and Heritage Protection, Hon Andrew Powell MP

Minister for Natural Resources and Mines Hon Andrew Cripps MP

Queensland Gasfields Commission Chairman Mr John Cotter.