



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**THE SENATE**

**BILLS**

**Environment Protection and Biodiversity  
Conservation Amendment (Independent Expert  
Scientific Committee on Coal Seam Gas and  
Large Coal Mining Development) Bill 2012**

**Second Reading**

**SPEECH**

**Monday, 10 September 2012**

BY AUTHORITY OF THE SENATE

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## SPEECH

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**Senator NASH** (New South Wales—Deputy Leader of The Nationals in the Senate) (11:40): I rise to make remarks on the Environment Protection and Biodiversity Conservation Amendment (Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development) Bill 2012. In doing so I have to echo some of your comments, Madam Acting Deputy President McKenzie, and comments of Senator Ian Macdonald about our mirth on hearing comments of Greens Senator Waters about the Greens being the only ones representing the regional communities. I do not want to verbal Senator Waters, so this is not exact, but she gave the impression that the Greens were the only ones representing the regional communities. This gave rise to a certain ironic degree of mirth. I know Senator Waters is genuine in her intent, but for the Greens to say they are in any way, shape or form the champions of regional Australia is absolutely ridiculous. It is so far off the mark I do not know where to start.

Firstly, let us take the carbon tax. The Greens support a carbon tax, probably one that is much tougher than the one we have at the moment. What is that going to do? It is going to hit regional communities harder than anywhere else. Farmers are at the bottom of the food chain. All of the extra costs on electricity, transport, fuel and fertiliser are going to land with the farmer and there is nowhere to pass those costs on. Secondly, the Greens want a higher target for the Murray-Darling Basin water extraction. They want to take more water from regional communities. How that is going to help regional communities or prove that the Greens are the champions of regional communities is completely beyond me. The Greens were instrumental in the government making the decision to shut down the live export trade—indeed, they want it shut down all together. The list goes on. They want to end logging in native forests and we know the impact that would have on regional communities. For Senator Waters to say that the Greens are the only party championing regional communities is absolutely laughable. I ask the Australian people to have a look at exactly what the Greens stand for and exactly what they have in their policies, including things like death duties, and not just take on face value comments by Greens in this chamber that they are the champions of regional communities, because they clearly are not.

The issue at hand today is coal seam gas. I have to say that the Nationals over a year ago pushed very hard to get a Senate inquiry into coal seam gas. I also acknowledge the very real concerns of the chair of the committee, Senator Bill Heffernan. While Senator Heffernan and I might not always see eye to eye, he certainly has a great deal of knowledge and I have a great deal of respect for the way he is doing his job as chair of that committee, as he well knows. I know Senator Macdonald has also had some real concerns about coal seam gas. The committee very thoroughly looked at the whole issue of coal seam gas. We ended up with 24 recommendations that, after some very intensive work, we believed will go some way to addressing this issue.

What becomes immediately apparent, and I think this is the key for everyone, is there is a range of things but the key issue is the impact of coal seam gas mining on aquifers. We all agree that mining where it is appropriate does have some benefit for regional communities, and I think most people acknowledge that. What we have to do, though, is make sure that mining is undertaken where it is appropriate. I know that Senator Joyce would agree with me on precisely this point, that where appropriate it should go forward. It is where it is not appropriate, it is where the impact is going to be negative, that we have to be absolutely sure that we have the policy framework right to make sure that those regional communities are not harmed in any way, shape or form.

The potential impact on the aquifer is huge. Senator Heffernan was absolutely right when he said there are so many unanswered questions. There is such a lack of detail in so many areas. The CSIRO indeed, as Senator Heffernan said, could not answer many of our questions. It becomes absolutely clear that the work needs to be done. The coalition will absolutely be supporting this piece of legislation. We will support government and Independent legislation where it is good, where it aligns with our policy. We often hear—don't we, Senator Joyce—that we are maligned for the fact that we are saying no and speaking against government policy. If the Labor government did not continue to give us such bad policy, we would not have to say no. It is as simple as that. This is one occasion where we are certainly supporting this piece of legislation, because it is a good step forward in terms of the oversight.

The potential impact on the aquifer is not something that you can change down the track by throwing money at it. That is apples and oranges. If there is irreversible damage done to aquifers you cannot fix them by throwing a bucket of money at them. You simply cannot do it. That is why it is so key that we get it absolutely right. While I recognise that this is predominantly a state issue, there is obvious capacity for Commonwealth involvement as this goes forward.

I commend the New South Wales state government, particularly the Nationals, for putting some focus on this and for trying to find a way forward that is going to make sure we get the right outcomes. It was the state Labor government that made such a mess of this and did not do one thing to try and address the concerns that were being raised by the community. To their credit, the New South Wales state government has. I also place on record my commendation for the Central Council Natural Resources and Energy Policy Committee that put in an excellent submission to the draft strategic regional land use plan, again showing the Nationals' very real concern and understanding of this issue, the impact that bad decisions have had and the impact that not making the right decisions going forward will have.

On this side of the chamber the coalition is very pleased that the government is taking this issue seriously. A year ago no-one was really talking about this. No-one was really saying anything about it. I have to say that I am very proud of the fact that it was the Nationals that pushed so hard to start having this issue addressed. My colleagues have done a tremendous job in making sure that we do address the issue, because it has to be done. I am a farmer; I live in the middle of New South Wales; I have been to the Liverpool Plains that Senator Williams was so eloquently describing before, and there are serious issues up there. They do not want to get it wrong. I completely understand that, because it is an issue of potentially impacting our prime agricultural land, our food producing land. There is no doubt that food security is going to be one of the key issues for this nation in decades to come. There is absolutely no way around that. Anybody who has any sort of foresight into where we are going as a nation and how we are going to plan knows that we have to take food security as a key priority as we go forward over the coming decades.

Tied into that is that we have to make sure that our policy around coal seam gas mining is absolutely right and does not have any negative impact on the food producing land, otherwise we are going to potentially compromise our food security into the future. Every time I say that, somebody jumps up and down and says, 'We export more than 60 per cent of what we produce. It's not going to be an issue, and food security's fine,' and I absolutely agree today, now, but that sort of short-term thinking is not going to place us as a nation where we need to be in 30, 40 or 50 years time. The decisions we make now about our prime agricultural land and how it is operated and how we make sure we remove any threats are vitally important to how we are going to be standing in food security in 10, 20, 30, 40 or 50 years down the track for our next generations.

We hear a lot of discussion around the carbon tax debate, around global warming and around the next generations. It is absolutely vital for future generations that we get this right, because we cannot reverse it. If we have a negative impact on the aquifers, if our aquifers are stuffed because bad policy allowed that to happen, we cannot fix it with a bucketload of money. It is absolutely impossible, and that is why we are being so vigilant on this side of the chamber about making sure we get it right.

There are a whole range of areas we need to cover. My colleague Senator Williams raised before, as did my very good colleague sitting behind me here, Senator McKenzie, the fact that the Nationals nearly a year ago now had their principles out in place about how we saw the future for coal seam gas, and we were absolutely focused on making sure we got this right in terms of the principles.

Obviously, no coal seam gas development should occur where there is going to be a potential impact on the aquifers that I have discussed. We need to make sure that we protect our prime agricultural land. We need to make sure that people in residential areas are not untowardly impacted by the development of coal seam gas. They have gone there for 'quiet enjoyment' of the area—I think that is the phrase Senator Joyce uses so eloquently; and I am sure he will be discussing this as well. It is about people's right to have that.

It is also about regions being able to benefit from any of this development. We need to be very clear that regional communities in the future do deserve a return; they do deserve to be the beneficiaries of expansion and of the growth of the nation. Far too often we see regional communities being left behind. We see this divide that still exists between city and country. John Anderson gave a speech—I think it was way back in about 2001—called

'Two Nations', discussing bridging the divide between city and country. I do not know that we have actually progressed far since then.

When we look at this whole picture of coal seam gas development, where are the opportunities for the regions? Where is the potential benefit for those regions as a result of development in this area? We are certainly not saying: 'Shut the industry down'. Of course we are not; that would be simplistic and stupid, and we are not saying that. What we are saying is: it has to be where it is appropriate and all of these things have to be taken into account.

We need to see a return for landholders. This industry has really been like a horse getting out of a stable and bolting before anybody realised what was going on, particularly when we look to Queensland and the amount of coal seam gas development there has been there. With respect to the pecuniary interest of the landholder, it has been so ad hoc to date, when the coal seam gas development is on their land. So much of it has been in secret, as we found through the Senate inquiry. There has not been transparency. There has been no template, if you like, for how this should happen. As a result of that, Senator Joyce and I made some additional comments, when we reported on the coal seam gas inquiry, saying that there should be a default position that the titleholder of the land should be entitled to one per cent of the gross income from the wellhead on the property.

For all intents and purposes, that was to get some structure into this, to get some process, so that landholders knew a base from which they could work. It was so they would know there would be something underpinning the arrangements and the discussions with somebody developing or a company developing coal seam gas on their land. It certainly seemed just fair that as a starting point we at least have a discussion around what is appropriate and not just leave it to nebulous discussion around the issue between companies and landholders.

I can absolutely understand why landholders get so—I will not say 'emotional' because it is not just emotion; they are actually basing this on fact and how they see the future of their regions—intense and so strident in their views about the coal seam gas development and indeed in their local regions. Quite often, even where the coal seam gas development proposal might not even be on their land but is next door, those landholders do not look to get any benefit from a company that is looking to develop on that land and yet they still may well be very much impacted.

Some time ago I was in the Liverpool Plains, and I thank Judi Sheedy, Xavier Martin and others there who were very clear in painting the picture of how they saw the impact on their land and on their community from the development of coal seam gas. And I come back to the issue of 'where appropriate'. If it is not appropriate, it simply should not be going ahead.

Senator Heffernan was absolutely right when he said that there are still so many unanswered questions. This committee will hopefully go some way to eking out the information that we need and some of the answers that we need, so that we can be absolutely certain that there is going to be no negative impact on this land and on these communities from coal seam gas mining. We certainly do not have all the answers here today and we certainly support the government in the committee that they have put together. It is a step forward, but we have to be absolutely vigilant. I think Senator Heffernan may have used the word 'vigilant', or he may have used another more colourful word—expert in colour and movement that he is. But he is absolutely right: we have to be vigilant about how we now go forward.

As I have said before, if we make mistakes, there is so often no path to rectify. I think we are all in agreement that we have to get it right. We absolutely have to get it right. There is no room for hit and miss. There is no room for, 'Oh, well, maybe it will be okay,' or 'Perhaps that will be alright.' There is no room for that at all. It has to be underpinned on science—and herein lies one of the reasons that the coalition is supporting this bill. We are supporting this because it is an independent expert scientific committee.

I do note that the coalition moved in the other place an amendment around the issue of the qualifications for those on the committee. We wanted it to be much more specific and to include but not be limited to those with qualifications relating to ecology, geology, hydrology, hydrogeology, natural resource management and health. That is just sensible. We felt that there needed to be a lot more rigour around the appointment and the qualifications that those members of the committee would have. It made sense to get that right so that this committee can appropriately do the work. I understand the concerns around the lack of enforceability, but it is indeed at least a step forward.

We on this side of the chamber know that this issue is absolutely core to regional communities—absolutely core. While some might say that not enough has been done, I can certainly guarantee those people that we will be

doing absolutely everything we can to make sure that there is no negative impact on those landholders and those communities. The Nationals are absolutely mindful that we have to get this right. We absolutely have to get this right. We will not brook anything that is going to create a negative impact for those regional communities, that is going to have a negative impact on those aquifers or that is going to have a negative impact on that prime agricultural land. That is core—that is what we do, and we will continue to do it and we will continue to make sure that we get the best outcomes that we possibly can for those people who live in rural and regional communities.