

**Submission
No 159**

INQUIRY INTO COAL SEAM GAS

Name: Dr Shaun Cashman

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Dear Committee members of the inquiry into coal seam gas.

I would like to express my personal views with regards to terms of reference 2(a)

Legal rights of property owners and property values.

I fully understand the legal principle of a land owner only owning the top 4-6 inches of their property and that the state owns the mineral rights to everything below this.

What I feel this does not take into account is when a coal seam gas, or any other mining company desires a persons land is that the top 4-6 inches is not theirs. A land owner is just that, an owner. Not a caretaker, not a custodian, they actually own it. Just because a business wishes to make money out of something that someone else owns should not give them the right to take that thing for themselves.

I'm writing this submission on a desk that I own. It's mine. I earned the money and purchased it. Just because another person may want my desk so that they can run a business from it and make lots of money should not give them the right to compulsorily acquire it. Even if it's in the best interest of the people of NSW that they acquire my desk, it's irrelevant. It's mine.

And so it should be with a person's house and land. If they own it then nobody should have the right to acquire it just because they "want it". This so called right to take whatever a company (or state) wants so that they can make money smacks of living in a socialist/communist country.

The second part of this term of reference deals with property values as influenced by CSG mining. I see this as another infringement on the rights of a property owner. There is little doubt that the setting up of a mining operation next door to a person's property will decrease the owner's property value. No company/state/person should have the right to take an action in which they know full well they will adversely affect the value of another person's property. Whether a CSG mining company compulsorily acquires my property or failing that reduces my land value to zero (its actual worth when nobody in their right mind would purchase it) the effect is the same. It's tantamount to stealing.

Yours faithfully

Shaun Cashman