

**Submission
No 110**

INQUIRY INTO COAL SEAM GAS

Organisation: Central West Environment Council

Name: Ms Bev Smiles

Position: Secretary

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**NSW Legislative Council
General Purpose Standing Committee No 5**

**SUBMISSION
Inquiry into Coal Seam Gas**

Central West Environment Council (CWEC) is an umbrella organisation representing conservation groups and individuals in central west NSW working to protect the local environment for future generations.

CWEC has major concerns about the size of Petroleum Exploration Leases in NSW and the lack of control over exploration activities to date. CWEC wishes to submit the following key recommendations to the Inquiry:

1. A **full moratorium** on all forms of coal seam gas drilling until the environmental, social and health impacts have been rigorously and independently assessed.
2. Coal seam gas exploration and mining to be made subject to all relevant **environmental legislation**, including the native vegetation and water management laws.
3. The **provision of standing** to ensure that the community has full legal rights to challenge and enforce environmental laws under which coal seam gas companies are operating.
4. The **provision of a right** in the Petroleum (Onshore) Act to allow landholders to refuse consent for coal seam gas exploration or production on their land.
5. A **prohibition** on coal seam gas exploration and mining in important bushland, valuable farmland, groundwater aquifers, residential areas and public lands.
6. A requirement that all chemicals used in coal seam gas drilling or fracking must be assessed by the **chemical regulator** for use for that purpose before being approved for use.

Secretary Bev Smiles

Term of Reference: 1d.

CWEC does not support the use of Crown Land and particularly Travelling Stock Routes and Reserves (TSRs) for the purpose of gas exploration, production or transmission through pipelines.

TSRs and road reserves

TSRs and road reserves provide important landscape linkages for species movement. Woodland dependent fauna species, including birds, mammals and reptiles, are rapidly declining in the central division landscapes.

Crown Lands often contain some of the best quality remnant vegetation in the heavily cleared landscapes of the north west and central west NSW.

The disturbance of key wildlife corridors with mature vegetation that provides critical habitat requirements such as nesting hollows and seasonal food sources cannot be adequately offset.

An example of an inappropriate proposal focusing on TSRs is the Eastern Star Gas Narrabri to Wellington gas pipeline. The pipeline easement is proposed to be 40m in width. In places where TSRs are narrow and provide the only stands of mature remnant habitat in their locality, a 40m easement in some of these remnants would cause their total destruction.

A large number of matters of national environmental significance listed for protection under the Commonwealth *Environment Protection and Biodiversity Conservation Act (1999)* are likely to be impacted by the Narrabri to Wellington gas pipeline proposal and any other similar proposals targeting TSRs. Some of the species identified on this particular route include:

- endangered and vulnerable bird species: Regent Honeyeater (*Xanthomyza Phrygia*), Swift Parrot (*Lathamus discolor*), Superb Parrot (*Polytelis swainsonii*), Mallee Fowl (*Leipoa ocellata*)
- endangered and vulnerable mammals: Large-Eared Pied Bat (*Chalinolobus dwyeri*), Greater Longeared Bat (S.E form) (*Nyctophilus timoriensis*), Grey-Headed Flying Fox (*Pteropus poliocephalus*), Tiger Quoll (Southeastern Mainland population) (*Dasyurus maculates maculates*), New Holland Mouse (*Pseudomys novaehollandiae*), Pilliga Mouse (*Pseudomys Pilligaensis*)
- critically endangered, endangered or vulnerable plants: 12 species
- critically endangered and endangered ecological communities: Box-Gum Woodland, Plains Grassland, Myall Woodland

Proposals to conduct gas exploration in TSRs are also inappropriate because of the need to clear up to 2ha around the drilling rig. These activities must be governed by the regulations under the NSW *Native Vegetation Act 2003*.

Because TSRs often follow water courses across the landscape, the impact of gas exploration and production could have adverse impacts on associated surface and groundwater systems.

Because many of these areas have been maintained in their original condition, they contain important wetland areas, riparian zones and groundwater dependent ecosystems. The impact of gas exploration and production drilling in these environments is not appropriate.

National Parks and State Forests

CWEC also has concerns about the impact of gas exploration and drilling on the environmental values of State forests and the National Park reserve system.

Recent exploration drilling has been conducted by Planet Gas on the 'Poggy' property, an in-holding in Goulburn River National Park. This property is completely surrounded by the reserve except for public road frontage which dissects the reserve. There are major implications for the transmission of any gas produced from this property.

The possible impacts of drilling on the water table, perched aquifers and other water bodies associated with the National Park have not been considered. The drilling occurred within 500m of the reserve.

The concept of horizontal drilling for gas extraction raises a number of key issues. While it minimizes the area of surface disturbance, it does not minimize the disturbance to aquifers. This style of drilling gives the industry the opportunity to extract gas from underneath reserves. This activity highlights the need for an adequate buffer zone between gas extraction and National Parks and Nature Reserves. Horizontal drilling in close proximity of reserves is inappropriate and should be prohibited.

State Conservation Areas (SCA)

The surface impacts of clearing needed to establish gas wells in heavily vegetated Crown Lands is not acceptable. The proposal to disturb the important natural values of the Pilliga SCA should not be approved. The fragmentation of 85,000ha of intact remnant vegetation in the Pilliga State Forest and SCA will cause significant damage to the habitat of many declining woodland species.

Term of Reference 3e:

Coal Seam Gas is not needed to supply domestic power into the future in NSW. Most of the proposed developments are aimed at the export market eg the Eastern Star Gas proposal in the Pilliga.

Solar thermal technology can supply the necessary base load and peak load power requirements for NSW into the future. The set up costs of solar

thermal power stations are comparative to the cost of establishing new fossil fuel power stations while the inputs are negligible. Renewable energy sources do not require the continued disturbance of land, water and other productive industries to provide fuel sources. Once a solar thermal power station is constructed, the main input is maintenance because the fuel source is free.

Term of Reference 4:

Coal seam gas extraction should be regulated under both the *Native Vegetation Act 2003* and the *Water Management Act 2000*.

Legislation controlling activities on public lands must be strengthened to prevent the extent of impacts caused by the coal seam gas industry. This must also better interact with the Commonwealth environmental legislation, *Environment Protection and Biodiversity Conservation Act (1999)*, at the exploration stage.

Yours sincerely,

Bev Smiles
Secretary

Wednesday 31 August 2011