

**Submission
No 354**

INQUIRY INTO COAL SEAM GAS

Organisation: Wingecarribee Shire Council

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Contact: Mr B Arthur

7 September 2011

Ms Beverly Duffy
The Director
General Purpose Standing Committee No 5
Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Ms Duffy

RE: Submission – Inquiry into Coal Seam Gas

Wingecarribee Shire Council welcomes the opportunity to make a submission to the NSW legislative Council Coal Seam Gas Inquiry.

Council has consistently opposed the potential expansion of Coal Seam Gas and new Coal Mining in the Shire as these uses are incompatible with the visions for the Shire. Council has unanimously formed a position of strong opposition to these activities and has formed a Community Coal Reference Panel to provide leadership in the area and support community action in this area.

Attached is a submission prepared by the Reference Panel. This submission does have specific emphasis on impacts to this Shire, but the principles are applicable across the State. I am pleased to submit on behalf of the Shire.

Yours faithfully

Wason R Gordon
General Manager

**WINGECARRIBEE SHIRE COUNCIL
COMMUNITY COAL REFERENCE PANEL**

**Submission to NSW Legislative Council,
General Purpose Standing Committee No. 5 – Inquiry into Coal Seam Gas**

1. The Wingecarribee Shire is located in the Southern Highlands of NSW along the Sydney to Canberra corridor. The area consists of a large portion of the Sydney's drinking water catchment, and is blessed with productive farming land, generous rainfall, aquifer resources, significant biodiversity, 40% of protected bushland in the form of National Parks, Council reserves and Sydney Catchment Authority protected land, and forms a significant link in the Great Eastern Ranges Conservation Corridor.
2. In this context the threat of coal seam gas activities looms as a potential threat that could devastate to the Shires natural assets, the communities visions, livelihoods, and public health. There are a number of environmental risks associated with coal seam gas mining. Included in this are contamination of surface and groundwater, impacts on water availability (both surface and groundwater), waste issues, aquifer interference, air quality, environmental health concerns, and interference to natural ecology and land use.
3. The concerns raised in this submission stem from the lack of credible and conclusive scientific evidence to provide the assurance that such activities will not have a long term and irreparable impact upon the environment, including groundwater reserves within the Shire or upon Sydney's Drinking Water Catchment.
4. The Wingecarribee Shire Council has embraced the Integrated Planning and Reporting Framework and through extensive and genuine community engagement has developed the ***Wingecarribee 2031 Community Strategic Plan***. This plan provides the best picture of the vision for our community, and a copy is attached for reference. Coal seam gas activities in the Shire would be at odds with the following community visions in the ***Wingecarribee 2031 Community Strategic Plan***:
 - 4.1.1 *Conserve the key natural resources of the Shire water catchments, arable land, key wildlife corridors, vegetation and scenic landscapes*
 - 4.2.2 *Ensure that no development takes place in Wingecarribee that would threaten the underpinning natural resources of the area as a water catchment, food bowl, and tourist and recreational attraction*
 - 4.4 *Wingecarribee community has a carbon neutral economy*
 - 4.4.1 *Promote the type of development that would reduce the use of fossil fuel*
 - 4.4.2 *Promote local sources of renewable energy*
 - 4.2 *The 'Southern Highlands' is a recognised tourist destination throughout Australia*

- 4.3 *Wingecarribee has agribusiness suited to our distinct climate and geography*
 - 5.3.2 *Develop and implement programs to extend our agribusiness economy by pursuing new lines of business which best fit our climate and brand identity*
 - 5.3.3 *Attract agricultural industries and research institutes to establish operations within the Shire, both to support local producers and to design products and services for export to other markets*
 - 5.4.2 *Establish the Southern Highlands as a leading centre of industry, innovation and expertise, which provides tried and tested, cost effective solutions for the sustainable management and use of scarce water resources*
5. The Integrated Planning and Reporting Framework was embraced by Council and the community and this must be respected by the NSW Government, and should not be overridden but outside forces that are in the control of the State.
 6. The NSW Government has committed to **Strategic Regional Land-Use Policy** plans. Council supports this process and eagerly awaits progress in this area, particularly given the regional significance of the Shire in reference to the Sydney Drinking Water Catchment, productive agricultural land, and the Sydney to Canberra growth corridor. Council asks that the NSW Government to bring forward this process, and prevent coal seam gas activities from occurring until it is rigorously assessed in the regional significance context, and let regional priorities guide decision making processes regarding coal seam gas activities, and not the other way around. Wingecarribee Shire Council has been assured that we will be included in both the Strategic Land Use Planning process and the Aquifer Interference Policy, by Minister Hartcher and also the NSW Office of Water.
 7. Council acknowledges that the NSW Government is currently developing an Aquifer Interference Policy. Council asks that it continue to be included as a stakeholder in the Policy development process. Council also asks that there be no advancement in approving coal seam gas activities in this region until this strategic framework is completed.
 8. The **Precautionary Principle** should be invoked at this time as it is not possible to guarantee that there would be no negative impacts from coal seam gas activities. Adherence to the precautionary principle becomes even more important (and logical) when you consider the regional significance of the Southern Highlands, and the role it plays in Sydney's drinking water catchment
 9. When assessing the significance of the amount of energy under the Shire it is important to weigh this up against the significance of the Shire's role in Sydney's drinking water catchment, and the value placed against productive land for the State's food security. These assets must not be put at risk. While there are alternative energy options for the future of the State, there are few alternative options with respect to Sydney's drinking water security, or productive land security. The state's energy security must rely on sustainable energy supplies and this must clearly lie with renewable energy, not with coal seam gas.

10. In terms of social impacts, the panel can say that the threat of coal seam gas activities coming to the Shire is causing extensive social unease. The public opposition to these activities in the Shire is significant and can be seen most dramatically in support received so far to the work of the Southern Highlands Coal Action Group (SHCAG). Council is fully supportive of SHCAG and continues to work in partnership with them providing practical and political support as needed.
11. Council remains concerned about the community's exclusion from the approval process. While we welcome changes to Part 3A of the Environment Planning and Assessment Act, we need to be reassured that this replacement will afford meaningful input for local communities on matters that have significant and far-reaching implications for those local communities. As the representatives at the local level, Wingecarribee Shire Council wants to ensure it has a say in planning policy related to both longwall mining and coal seam gas activities as well as being involved in the assessment of any new mining proposals that may come forward.
12. In response to the community concerns, Council has moved to resolve to oppose coal seam gas mining and made the following resolutions:

MINUTES OF THE ORDINARY MEETING OF COUNCIL on Wednesday, 24 November 2010

1. THAT Council adopt a policy to oppose All Coal Seam gas exploration and production in the Shire.
2. THAT Council re-affirm its policy to oppose all long wall mining in the Shire.
3. THAT Council prepare submissions in relation to part 3a proposals for mining by NRE and Berrima Coal and all future proposals for long wall mining or Coal seam Gas exploration/production in the Shire.
4. THAT all submissions state clearly up front Wingecarribee Shire Council's policy in opposition to long wall mining and Coal seam gas exploration / production.
5. THAT Council support the NSW Farmers Association and the Greens calls for a moratorium on all coal seam gas extraction.
6. THAT Council seek support from the Local Government and Shires Association to convene an urgent meeting with the Premier, The Hon Kristina Keneally, MP, The Hon Frank Sartor, MP, Minister for Climate Change and the Environment and The Hon Tony Kelly, MP, Minister for Planning, Minister for Infrastructure and Minister for Lands, and invite all interested Councils to make direct representations to the Ministers in relation to the potential impacts from Coal seam gas production and long wall mining.
7. THAT Council write to the Federal Minister for the Environment calling for a National Moratorium on Coal Seam Gas exploration and production and also become a signatory to any representations to the State or Federal Government for a moratorium on all Coals Seam gas exploration/production until such time as there is clear and undeniable evidence that this practice does not pose a threat to our environment and our water and groundwater catchments.

MINUTES OF THE ORDINARY MEETING OF COUNCIL on Wednesday, 13 July 2011

1. THAT Council write to the Honourable Barry O'Farrell, Premier of NSW; the Honourable Brad Hazzard, MP, Minister for Planning & Infrastructure; the Honourable Chris Hartcher, MP, Minister for Resources and Energy; the Honourable Pru Goward, MP, Member for Goulburn, Minister for Family and

Community Services and Minister for Women; the Honourable Katrina Hodgkinson, MP, Minister for Primary Industries and Small Business and Mr Brett Whitworth, Regional Director of Planning Illawarra to register our concerns relating to all new proposals for underground coal mining, and the exploration and extraction of coal seam gas within the Wingecarribee Shire.

2. THAT Council highlight these concerns based on a lack of credible and conclusive scientific evidence to provide the assurance that such activities will not have a long term and irreparable impact upon groundwater reserves within the Shire or upon Sydney's Drinking Water Catchment.

3. THAT Council seek an assurance from the Minister for Planning and the Minister for Resources and Energy that the Licensees will be put on formal notice and that key reviews e.g. Land Use Planning and Aquifer Interference, are being done noting that these may have an impact on the ability of the government to grant a product licence.

4. THAT in light of these concerns Council request the relevant Ministers to reject the renewal application by Hume Coal for AUTH349 in November 2011 and also the renewal application for PEL469 by Leichhardt Resources in April 2012, until such time as there is conclusive evidence that these activities will have no impact upon ground and surface waters within the Shire or Sydney's Drinking Water Catchment.

5. THAT Council's Environment and Planning Department convene a meeting with a delegation of representatives from the Southern Highlands Coal Action Group (SHCAG) to prepare complimentary submissions on these applications.

6. THAT Council seeks a representative from the SHCAG to attend the arbitration meeting between Council and Planet Gas when it is convened.

7. THAT Council draft a Motion for the 2011 Local Government Conference, seeking support for our position on mining and coal seam gas exploration and production, within water catchment areas and areas deemed inappropriate by the local council of that area.

8. THAT Council establish a Community Coal Reference Panel and appoint a Councillor Chair and alternative to head this Panel and the Director Environment & Planning or his representative also be included in the membership AND THAT Council invite the SHCAG and the Medway Residents Group to nominate two (2) members from each group as panel members.