

**Submission
No 276**

INQUIRY INTO COAL SEAM GAS

Organisation: Tweed Shire Council

Date received: 5/09/2011

Council Reference: Coal Seam Gas
Your Reference:



5 September 2011

Chairman, The Hon. Robert Brown MLC
General Purpose Standing Committee No.5
Inquiry into Coal Seam Gas
NSW Parliament House
Macquarie Street
SYDNEY NSW 2000

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Please address all communications
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Dear Sir

Submission to NSW Legislative Council Inquiry into Coal Seam Gas

Please find attached Council's submission to the Inquiry into Coal Seam Gas being carried out by the NSW Legislative Council General Purpose Standing Committee No.5. The submission reports on the subject of Coal Seam Gas (CSG) within the Tweed Shire local government area.

In providing a submission, Council requests for the immediate implementation of a moratorium for the whole Tweed Shire in relation to all coal seam gas activities.

This is an issue of vital importance to the Tweed community which has serious concerns over a number of CSG issues. It is also a significant issue for Council which finds itself in a difficult position:

- As a consent authority it has no jurisdiction over exploration actions, and the extent of its approval powers on specific production projects is unclear.
- As a landholder it has the same rights as other landholders over whose property a Petroleum Title has been granted, and it is unlikely that Council could exclude the holder of an exploration license from Council land.
- As a water supply authority it appears that Council has no additional rights regarding CSG works.
- As a determining authority, Council could only refuse access under a Part 4 determination, however given most CSG projects are State Significant Development, Council would have no jurisdiction to refuse the project.
- Furthermore, Council does not have the internal expertise to fully assess the technology and impacts.

Council determined by unanimous decision on 16 August 2011 to place "*a moratorium on Coal Seam Gas activities on Council owned land until such time as Council is satisfied that the impact of such activities can be appropriately managed.*"

Prior to that decision, and in response to initial concerns surrounding CSG activities in the Tweed, Council unanimously determined on the on 19 April 2011 to:

1. Provide a submission to the draft NSW Government Coal and Gas Strategy advising the Tweed Community has serious concerns over the prospect of the "Green Cauldron" being utilised for Coal Seam Gas exploration and production because of the lack of clear and understandable advice and information of the technology and its impacts on the environment, the amenity, landholders and water quality;

2. Call for a moratorium for the whole of Tweed Shire in relation to coal seam gas exploration;
3. Write to State Members for Lismore and Tweed and the Federal Member for Richmond advising them of Council's decision and seek their support; and
4. Forward a copy of its report and resolution to the authority responsible for the assessment of the current application and oppose the issue of licence PELA134.

Copies of those various representations to state government are attached.

Thank you for the opportunity to provide a submission on this significant issue. Please do not hesitate to contact me should you have any enquiries or require any assistance.

Yours faithfully

Mike Rayner
GENERAL MANAGER

Attachments

1. Representations to state government.
2. Council Resolution, Report and attachments regarding a moratorium on all Coal Seam Gas activities on Council owned land, 16 August 2011.
3. Council Resolution, Report and attachments regarding Coal Seam Gas activities within Tweed Shire, 19 April 2011.