

Submission  
No 13

**INQUIRY INTO THE IMPLEMENTATION OF THE  
RECOMMENDATIONS CONTAINED IN THE NSW CHIEF  
SCIENTIST'S INDEPENDENT REVIEW OF COAL SEAM  
GAS ACTIVITIES IN NEW SOUTH WALES**

**Organisation:** Name suppressed

**Date Received:** 28 October 2019

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Partially  
Confidential

## **Inquiry into the implementation of the recommendations contained in the NSW Chief Scientist's independent review of Coal Seam Gas activities in NSW.**

### **Recommendation 1: not implemented**

There is no faith in the EPA as any spills or other 'problems' have been made public by the public, not the EPA and penalties are too small for what took place.

### **Recommendation 2: not implemented**

The Chief Scientists Report states that all reports, background technical papers and submissions are available on the website – links below. These links do not work and you have to search to find all this information. Not a very good start to recommendation 2. If even the most basic information is so hard to find how does this make for clear and open communication.

"A full list of all the reports released by the Review is given at Appendix 2. All are available on the Chief Scientist & Engineer's website (<http://www.chiefscientist.nsw.gov.au/coal-seamgas-review>).

A series of background technical information papers was commissioned on a range of issues related to the CSG industry. Independent experts, who had minimal or no actual, potential or perceived conflicts of interest, were engaged to write the papers. The rationale, process and development for the papers is discussed in the Initial Report §1.4.2. More than 20 background papers have been developed and are available on the website (<http://www.chiefscientist.nsw.gov.au/coal-seam-gas-review/csg-background-papers>)

A call for public submissions to the Review was made to enable the Review to understand the issues and concerns from various perspectives (CSE Initial Report §1.4.5). Submissions were welcomed throughout the entire Review and provided considerable insight into specific issues. A total of 266 submissions was received. The submissions are available on the website (<http://www.chiefscientist.nsw.gov.au/coal-seam-gas-review/public-submissions>)."

### **Recommendation 3: not implemented**

There is still no right for landholders to say no to CSG development even though the 'Principles of Land Access' was touted as allowing landholders the option to say no. Santos stated even though they would not force access to drill wells they would still force access for infrastructure. The wells would be drilled on the property next door and come under your land. Santos still quote different compensation amounts to different people, not one price per well to all people.

The Community Benefits Fund run by the RAA is currently not available.  
<https://www.raa.nsw.gov.au/grants/gas>

### **Recommendation 4: not implemented**

There is no evidence from any government budget papers that this is occurring. CSG companies pay very little tax or royalties. Santos currently pays no royalties on its commercial gas.

### **Recommendation 5: not implemented**

Santos themselves state that they will affect the aquifers. This is obvious as they 'de-water the aquifer to get the gas out'. This can not be permitted in the recharge area of the Great Artesian Basin.

Does the Strategic Release Framework' which the government says meets this recommendation include the 12 PEL's in the North-west that were issued prior to the framework. As the majority of these PEL's are currently expired, they would have to meet the new framework if they were reissued. If expired, then they must be deleted as they no longer exist. They do not need to be cancelled as they are not current.

#### **Recommendation 7: not implemented**

Does the EPA have these capabilities and is the research they undertake or rely on independent?

#### **Recommendation 8: not implemented**

The 'use it or lose it' minimum standards have not been applied. Our Pel 428 expired on 14/9/2012 but still shows up on the NSW Government website. It used to be very easy to print a list of various petroleum licenses but it seems this has been 'improved' and now you have to go into each Pel individually and write your own list up. The link to what I presume is the 'old' list called title status reports doesn't work. <https://www.resourcesandgeoscience.nsw.gov.au/landholders-and-community/coal-seam-gas/information-on-petroleum-titles>. Is this to make it too hard to see which Pel's are expired? I was going to include a printout of expired Pel's for you but it doesn't seem possible.

The website states that "Cancelled or expired titles will not appear. If a title date shows as expired, a renewal application is pending. Activities under existing title conditions continue until a determination of the renewal application has been made." There are currently no PEL applications showing. <https://www.resourcesandgeoscience.nsw.gov.au/miners-and-explorers/applications-and-approvals/current-titles-reports-applications-and-services/current-coal-and-petroleum-exploration-licence-applications/current-petroleum-exploration-licence-applications>. Are renewals not listed or is there no renewal application pending?

Recommendation 2 on clear and open communication isn't working.

Why, after 7 years, is this Pel still in limbo. It will not cost the government to simply write these off the books – they are expired!

#### **Recommendation 9: not implemented**

There is no evidence this has been done. Insurance companies have stated they will not provide insurance for individual farmers for environmental damage, loss of farming, contamination of stock or water or anything else associated with CSG. If they will not provide this to farmers then the community needs evidence that they will provide it to the CSG companies. Will this insurance be 'in perpetuity'? Will it cover rehabilitation of bores within the next hundred years when they will all fail? Will it then cover the next round of failures in the next 100 years? CSG companies argue farm stock and domestic bores will also fail in this time but the farmers that own these bores will be responsible for that. Who fixes the CSG bores on either private or public land? We sign an NVD when we sell cattle and sheep saying they have not been contaminated with anything. The majority of other foodstuffs needs a particular contract signed stating it is not contaminated. When CSG is on our farms we do not know what chemicals etc they are bringing on. Yet we still have to sign that we know what our livestock and crops have had contact with, even when they (CSG companies) do not have to tell us. Who covers the insurance if there is contamination that shows up in our export beef

sector for instance? This would have a much more detrimental effect than the live export disaster on our international trade.

**Recommendation 10: not implemented**

SEED has been created but does not encompass all the functions recommended.

**Recommendation 11: not implemented**

Although there are various places that some of this information can be found, ie: EPA, there is no centralised area that we can find.

**Recommendation 12: not implemented**

The government has created an Advisory Body for Strategic Release but this is made up of senior bureaucrats not relevant experts.

Putting money into GISERA is not establishing an expert advisory body. GISERA is also partly funded by CSG companies which have a say in the research undertaken. This is not independent research and should not be treated as such.

No published annual statement on the overall impact of CSG in NSW.

‘planning where CSG activity is permitted to occur in the state’ – will this apply to the expired and current PEL’s in NSW.

**Recommendation 14: not implemented**

The government has stated that this has occurred. Last time we spoke to a CSG driller they said they did not need a license to drill a well. A person drilling a water well does need a license. We do not know if this accreditation has become mandatory for CSG drillers.

A lot of things seemed to happen towards undertaking the recommendations until the end of 2015. Progress seems to have faltered since then.

The Hunter, Northern Rivers and Sydney areas have had some protection from CSG locked in. The North West has had nothing even though the recharge area of the Great Artesian Basin will be affected by the Narrabri Gas Project. AGL Gloucester pulled out.

Insurance paid for by CSG companies does not only need to cover environmental damage. It needs to cover every situation landowners face that could occur due to CSG. It must cover financial, farming, pollution, contamination as well as Australia’s export markets. We should not have to pay this ourselves. That is even if we could get insurance, which we have been told we can not.

Whilst environmental impacts are very important the Chief Scientists report did not take into account the human costs, our mental, physical and financial health. We have been in limbo, spending countless hours and dollars, fighting an industry that threatens our lives. There is also no consideration of Australia’s ‘clean green’ image or vital export markets which will be at risk due to contamination.

In the Northwest of NSW people were asked if they wanted their road and land gasfield free. The latest figures are: 96% of people, from 106 communities declare they wish to remain ‘gasfield free’. This covers an area of over 3.2 million hectares.

Anything the government has done needs to be relayed to the people. We only find out about things such as Common Ground when we go looking. It is up to them to inform the community of things they do that are supposed to be implementing the recommendations. Even information to submission writers would help.