



**Fw: COAL SEAM GAS Independent Review Community Submission by
FCRAG Inc.**

CSG Review to: Troy Deighton, Roxanne MacLean
Sent by: **Rebecca Radford**

03/06/2013 09:14 AM

----- Forwarded by Rebecca Radford/SRD/NSW on 03/06/2013 09:14 AM -----

From: Justin Hamilton <Justin@scha.com.au>
To: "csg.review@chiefscientist.nsw.gov.au" <csg.review@chiefscientist.nsw.gov.au>, "nswchiefscientist@chiefscientist.nsw.gov.au" <nswchiefscientist@chiefscientist.nsw.gov.au>
Date: 31/05/2013 05:23 PM
Subject: COAL SEAM GAS Independent Review Community Submission by FCRAG Inc.

The Office of The Chief Scientist & Engineer
Coal Seam Gas Review Team
Professor Mary O'Kane

We read with great interest your press release confirming over 200 submissions received to date for the Coal Seam Gas Independent Review by you and your team. We applaud this decision by Premier O'Farrell. We acknowledge your request on your web site for affected communities to continue to come forward to share their experience with the committee. We are very pleased to still have this opportunity to submit our experiences, concerns and suggestions as **we are the front line**.

As you no doubt are aware, Fullerton Cove in the Port Stephens Shire NSW, has been the first location in the Lower Hunter to be explored for CSG with strong community interest, concern and trepidation generated by it. Our community group has spent two years researching the facts, coming to our own informed understanding of this new industry. We have tried to remain objective and dispel the myths along the way. What we have witnessed is the immature process of development of CSG exploration in our area and in particular the lack of pre determined effects and risks on Water Aquifers used for drinking, relied upon by RAMSAR Wetland Flora and Fauna

We therefore submit to you our reports attached and would welcome an opportunity to speak in person with you and your team about our experiences in the hope we can affect a far better shared outcome for this industry and the NSW community.

As you may also be aware we are currently in court v NSW government over CSG and therefore our comments in relation to community interest matters have been limited in this submission whilst this issue is in front of the court. We will have more valuable experiences and advice to offer once this process is complete and again urge you to invite us to meet with you.

Regards,
Justin Hamilton
Public Officer
Fullerton Cove Residents Action Group Inc.
FCRAG Inc. 0413245777
Mail c/- 417 Fullerton Cove Rd Fullerton Cove NSW 2318



FCRAG Incorporated

FULLERTON COVE RESIDENTS ACTION GROUP
Port Stephens Shire NSW

Our Ref: FRACG Chief Scientist NSW Gov.Submission. 31.05.13

The Public Officer
c/- 417 Fullerton Cove Road
Fullerton Cove NSW 2318

31st May 2013

The Office of the Chief Scientist & Engineer
Coal Seam Gas Review Team
Professor Mary O'Kane
c/- GPO Box 39
Sydney 2001



By Email: csg.review@chiefscientist.nsw.gov.au
nswchiefscientist@chiefscientist.nsw.gov.au



Dear Madam,

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Fullerton Cove Residents Action Group, c/- 417 Fullerton Cove Road Fullerton Cove NSW 2318

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The Fullerton Cove Residents Action Group Inc. represents a diverse group of residents from the Port Stephens Shire in NSW, with reach to over 900 public supporters.

Over the last 2 years the Coal Seam Gas Industry has continued to develop within the Lower Hunter, even though the Lower Hunter was excluded from any public briefing sessions in 2011, is heavily populated and intrinsically linked to the Hunter and Williams River Catchments and Nationally Significant Ecosystems.

Under PEL 458 a Coal Seam Gas company now has approval for 2 x CSG exploration (production style) wells at Fullerton Cove, which were opposed in the Land and Environment Court by the FCRAG Inc. and is still ongoing.



Whilst the FCRAG Inc. applaud the NSW Liberal Government for its changing approach to address the strong community reaction to CSG, we share the greater community concerns about the limitations of governance on this new industry and the interpretation of such regulation, in the public interest and when tested in the courts. If we can be of assistance to better inform policy then we are committed and willing to help.

In order to properly and formerly address our issues to date, our group has made submissions to The Australian Federal Government Department of Sustainability, Environment, Water & Population EPBC Act call for Public Comment, the NSW Government on the proposed SEPP (Mining Petroleum Production and Extractive Industries (Coal Seam Gas Exclusion Zones) 2013 amendments as proposed. We have prepared submissions to the NSW Parliamentary inquiry into downstream gas supply, and the Lower Hunter Land Use Strategy. We have made representations to our Local State and Federal Members, Local Councils including Port Stephens, Newcastle and Lake Macquarie as well as most national media outlets on this subject. We have also held a position on the Dart Energy Community Reference Panel and sent delegates to the Lower Hunter CSG Forum held by ALGA at Sparke Helmore Lawyers in Newcastle.



Fullerton Cove is a semi-rural/residential hamlet which is located on the edge of the Hunter River, 5km north of Stockton, Newcastle NSW. It is characterised as a:

- Drinking water catchment for the Hunter and for local residents.
- Freshwater subterranean Aquifers known as the Tomago/Stockton/Tomaree system which provides Newcastle, The Hunter and Central Coast 20% of our drinking water.
- Flood plain RL 1-3m AHD.
- High Water Table (1-2m below surface).
- Nationally recognised 'High Priority Ground Water Dependant Ecosystem' by the Federal Water Commission.
- Part of the RAMSAR internationally listed Hunter Wetlands.
- Proven breeding and foraging ground for rare and nationally endangered species.
- Breeding ground for International migratory bird communities.
- Acid Sulphate Soils region
- Koala habitat and bushfire prone land.



With respect, we believe these naturally occurring attributes have been under addressed by the mining company, as they have not been required by governance to deliver more than a cursory REF for their exploration application. Many of these attributes in themselves should easily have triggered a full EIS including groundwater monitoring, testing and an Aquifer Interference study. Cumulatively they should have sent alarm bells ringing on local, state and federal levels.

Of great concern was the admission by Fed. Minister Tony Burke to Member for Newcastle Ms Sharon Grierson that the Fullerton Cove CSG Exploration Site application (referral to dept of SEWP for approval), was misinterpreted on the maps by his department, to be part of the



Gloucester Basin. It was then incorrectly considered and approved off the back of the Gloucester Projects. Sharon Grierson pointed out to the Minister that Fullerton Cove was over 200km away on the coast, not up in the mountains to which he acknowledged an error had been made. This error still has not been undone.

Additionally poor and one sided community consultation by the mining company, misinformation equally by both the mining company, some radical opponents and a severe lack of local in-situ understanding (by the mining companies and government) of the ground on and under which the CSG mining is intended in Fullerton Cove has led to a major dilemma. In desperate exasperation our community blockaded the drilling site. What a shame it came to such distressing actions. This new industry and the way it has conducted itself in our region to date have an incredibly stressful and detrimental effect on our local community leaving us mistrustful and sceptical. Yet we continue to offer our voluntary time, effort and commitment to ensure logical debate, fair protection for the greater values of public justice, for our environment and our communities.

We therefore offer the following points for your consideration by the Chief Scientist to better safeguard the state and nationally significant natural groundwater resource and those dependants on it, which exists at Fullerton Cove and throughout Port Stephens, NSW.



1. Prohibiting new CSG activities within 2km of residential areas and critical industry clusters is a positive first step towards protecting residential communities and important industries from the damaging impacts of CSG. However, the policy will not deliver much-needed protection for our drinking water catchments, agricultural lands and iconic natural places. Fullerton Cove's drinking water catchment is the land itself as rainwater does not run off, it permeates the ground to charge the Aquifer. **Aquifer catchments must be excluded from CSG** exploration and mining areas.



2. There is a risk of **exploitation of the council "opt out" clause** of the amendment. Allowing councils to override the 2km exclusion zone may lead to negative environmental outcomes and exposes councils to lobbying by powerful industry interests and a heightened risk of corruption. This clause should be removed. If you don't think it will be challenged, we refer you to Port Stephens Council who are currently disregarding the Williamtown RAAF base extreme noise hazard warnings, including ministerial requests and approving a residential sub division under fighter jet flight paths in Medowie this week.

Dart Energy's own 'experts' told us they will mine horizontally 2.5km and with future technology up to 5km. This can cause subsidence, gas leaks, mechanical failures and contamination well outside of any 2km buffer.



3. The government must put in place policies that **cumulatively safeguard our land, water, ecosystems and communities** from both coal and unconventional gas industries, such as mandatory EIS reporting, independent (not CSG company provided) ground water research and monitoring before any works are approved. Where existing data is available on ground water it should also be utilized to prevent mining companies falsely suggesting they need to mine or 'explore' to find out what they claim they don't know. Otherwise CSG mining threatens water quality and availability, air quality, health, food production and other industries. The proposed amendment to the SEPP still allows risk to communities such as Fullerton Cove and the surrounding environment from CSG exploration or mining.



4. Given the risks to water resources and public health from CSG, the government must place a moratorium on all CSG drilling until a comprehensive study into the **human health impacts of CSG** has been conducted, as recommended by the South Western Sydney Local Health District and other community groups in NSW. The FCRAG Inc. has alerted Hunter New England Health to our concerns and request that cumulative effects of the Coal industry on human health in the Lower Hunter be understood before further unconventional industries are allowed to contribute to the pollution.



5. In order to protect our critical drinking water, the exclusion zones must be extended to prohibit CSG extraction in or near ALL Lower Hunter water catchment areas. Our local residents rely on **'immediate' local catchments** including their own backyards and fields to charge aquifers. The aquifer waters are then shared via ground bores, back into domestic tanks for drinking, watering stock and vegetable gardens.



6. RAMSAR Wetlands and High Priority Groundwater Dependant Ecosystems including the **contributing lands** surrounding them such as flood plains as at Fullerton Cove, should be called in to investigation when activities are planned adjacent to them. It has been proven that contributory lands provide foraging places to support endangered species which nest and breed in the wetlands yet arbitrary lines on zoning and planning maps which have never been properly 'ground truthed' are still used and interpreted to the advantage of the most resourced group, often to the disadvantage of less financial community groups.



7. Governance fails to adequately protect public health as it does not regulate the emissions that may be produced beyond the 2km exclusion zone, or provide any requirements for monitoring fugitive emissions from CSG extraction. Policy should be amended to include the development of **cumulative air pollution standards** that are specific to CSG and monitoring of air pollutants at all CSG fields and associated infrastructure, such as compressor stations, gas flaring from stagnant exploration wells in bushfire prone lands and koala habitat areas such as Fullerton Cove. We have nearby Orica with air pollution allowable emissions and other industries with allowable emissions. The CSG industry will compound this issue so should offer its projected levels so they be cumulatively understood before they are allowed to occur.

8. The amendment should prohibit the development of CSG or other mining to take place between critical industries clusters and **critical naturally occurring clusters** beyond the 2km zone to avoid fragmenting the areas in which they operate. Allowing CSG development between individual horse studs, vineyards or major tourism and public transport hubs such as the Newcastle Airport economic development zone in Port Stephens, would limit the ability for important state economic regions to operate as a cluster and runs counter to the intent of the amendment to protect these critical areas. This is the same for wetlands and floodplains which share a delicate balance and one does not exist without the other therefore CSG should be banned from Flood Plains such as Fullerton Cove.

Thank you for your serious consideration of these above mentioned matters. We would welcome an opportunity to support our claims in person to the review panel.



Yours sincerely,

On behalf of the Fullerton Cove Residents Action Group Inc.
Justin Hamilton
Public Officer
Phone: 0413 245 777

ALL PHOTOS SHOT ON LOCATION IN FULLERTON COVE 2011/12/13. Su Walker Artist.