

Submission to the  
NSW Department of Planning &  
Infrastructure

Apex Gas Exploration Project  
Mod 2

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This submission is in opposition to further coal seam gas (CSG) mining and exploration in the Sydney water catchment area for the following reasons:

1. Possible environmental damage.
2. Possible contamination of water aquifers under the catchment area.
3. The toxicity of chemicals used in the process of fracking.
4. Possible damage to the geological structures under the catchment area.
5. There is no easily obtainable EIS on the proposed project.
6. There is no real proof of independent “expert” advice in respect to an EIS.
7. There are now many accounts of adverse effects of CSG operations in Australia and the United States.
8. There is no evidence that there is true separation of “state policy independence” and corporate goals.
9. CSG/coal mining companies and government relationships are not transparent enough to be accountable to general public scrutiny.
10. The ethical standards applied by mining companies are questionable.
11. Complaint mechanisms are not in place to allow fair review of mining company transgressions in respect to environmental, civil, and industrial laws.
12. Before any further mining explorations proceed, a truly independent ombudsman should be instated with full legal powers and financial resources to ensure transparency and fairness regarding CSG mining in NSW.
13. There are no real examples of adequate restoration of mined areas in Australia. CSG repair/restoration work has more often than not failed.
14. CSG/shale seam gas is not a renewable source of energy. It increases the amount of CO<sub>2</sub> and, from what I have seen, its short-term benefits are far less than its long-term harm and associated negative long-term effects.
15. The viability of the CSG industry has been brought into question by JP Morgan, a world-leading investment bank, who has expressed doubts about the cumulative impact of multiple CSG developments. Environmental liabilities and development cost blow-outs are too high in comparison to the financial gains, posing a risky investment. JP Morgan was speaking on CSG exploration in Queensland, however the Sydney water catchment area will present the same risks and liabilities.
16. Current mining laws and regulations must be reformed to adequately

reflect Australian society's current expectations of environmental, health and safety protections. This would also need to extend to prohibit monopolies over large areas of land, such as AGL and Apex Energy being the only two companies holding claims over the Sydney area.

17. All concerned parties currently do not have equal rights and standing under Law.
18. There is a need for a Royal Commission to investigate mining company behaviour in regard to the following issues and concerns:
  - (a) Acquisition of mining licenses and claims.
  - (b) Approval of projects by government.
  - (c) Acquisition of free title land.
  - (d) Dealings with landowners.
  - (e) Mining practices within legal agreements between government and corporations.
  - (f) Misleading advertisements in mass media.
  - (g) Mining company/state and federal government monitoring of legal activism opposed to a mining project.
  - (h) The validity of claims that some projects are of state significance and therefore justifying revoking of the civil rights of land owners.
  - (i) Compensation to displaced landowners, and fair and timely payment to them.

All communications between government and mining corporations should be made available to the Commissioner, including all minutes of meetings between government departments and mining corporations and their lobbyists. The Commissioner should have the power to subpoena the above documents, witness statements and other evidence, as well as witnesses, government officials, mining lobbyists, and company employees and directors to present evidence to the Commission. The Commissioner should also have the power to refer prosecutable cases to ICAC and law enforcement agencies.

Water and food security is more important than energy. We can live without air conditioners, but we cannot live without water, food and clean air. I am not against mining in general, however I do oppose mining in and around or under the Sydney water catchment area, or any other catchment area. In my mind, the practice poses so many risks to what is possibly the most precious resource we have in this state. Without it, we cannot live.

I would also like to point out that, in my opinion, insufficient time has been

allowed to formulate thoroughly researched and quality submissions. Not enough significance has been afforded to this subject in government press releases and in journalistic reports. Access to vital government information is difficult and, in most cases, well hidden on department websites.

In fairness to the public this must be changed if the submission process is to be a part of the democratic society of NSW. I was not aware of the request for submissions on this project until I read about it in the *Sydney Morning Herald* on September 7, 2012.

I respectfully forward this submission for your consideration.

Yours sincerely,

Brian J Palmer

## **Resources**

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