

28 January 2016

Committee Secretary
Senate Select Committee on Unconventional Gas Mining
PO Box 6100
Parliament House
Canberra ACT 2600

REQUESTED TO BE A CONFIDENTIAL SUBMISSION

EMAIL: gasmining.sen@aph.gov.au

Dear Committee Secretary

Re: Submission in response to Inquiry on Unconventional Gas Mining

Thank you for the opportunity to make submissions to this committee.

My name is Shay Dougall. I live in Hopeland Chinchilla. I am the mother of two small children. I have been intimately involved with many individuals who have been devastatingly affected by CSG, UCG, and associated activities simply by virtue of the location of my home and my concern for the activities around me that will impact my family and our future.

My own family are also living with the devastating results of the industry through loss of value in investments and the value of our residential home and land. Shortly we will be surrounded by Origin gas wells, but due to the UCG (Linc) and the CSG activities, I cannot stay here with my children, knowing the effects, but we can't leave either, who will buy our property? How can we move on when our investments have been downgraded and we have no financial means to just walk away?

If I (a mother and housewife) am capable of producing a 20 page submission on all the things that I find wrong with the industry, that must speak to the very serious situation we find ourselves in, despite the government and industry assertions to the contrary.

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a. National approach to the conduct of unconventional gas mining in Australia;

Name one other industry is that a multinational corporation and is making money by producing toxic waste, damaging the land, air and water, and is doing it in a blanket fashion in people's freehold backyards, metres from their homes?

How is it that I am writing another submission against this practice to another inquiry?

I believe a national approach is necessary if it was possible to have a government who is supportive of the people and not industry. This industry is not just state based, it is global. Those deep in the industry are international companies. As has been learned over and over again in history, having a local focus on managing global issues, leads to loopholes and sinkholes that benefit the profiteers and devastate the locals. It makes for repetitive mistakes from one state to the next, fails to share critical information and encourages wasted government resources reinventing wheels.

Also, if there was a national focus on ensuring the safety of the unconventional gas mining industry, I truly believe it would not progress. There is no way that the current industry practices would pass basic safety requirements, and the industry itself cannot afford to increase safety levels due to poor profit margins equating to the end of the industry.

Apart from the fact that one only need look at the significant differences between each company and the massive variation in engineering of the hardware involved in doing exactly the same thing to realise there is massive variation in the way each company operates. This should be enough to indicate how loose the regulatory oversight is and how each company is marching to their own beat.

In addition to that, locals are not advised of what well is being fracked or when. This is itself indicates just how little regard the companies and the government have to the impact on those expected to live among the industry.

An honest and transparent approach to nationally managing CSG and its impact should happily have the intended outcome of national approach of protecting people, land, water and air.

In addition, take the AGL Silver Springs Gas Storage facility south of Surat (see addendum).

There is no known legislation pertaining to storing gas underground. There is no industry best practice, there is no code of practice, there is only a devastating international example to take as a standard, Porter Ranch, Aliso Canyon LA.

Even the documentation AGL produced for the government on this facility details two points that should have us all shivering in fear for the lack of regulation and oversight these multinational companies have:

1. That it was not logistically or financially viable for them to ensure these ponds were bought up to the supposed 'standard' for unconventional gas, so the

existing conventional gas unlined evaporation ponds would remain and be used in their gas storage operation

2. The only example of uncontrolled release of gas they could foresee was someone driving into the injection well. As a result their control measure was to put bollards up around the injection well, but no other risks could be foreseen, nor is any detail provided regarding control measure in place in the event of an uncontrolled release.

b. The health, social, business, agricultural, environmental, landholder and economic impacts of unconventional gas mining;

Health:

There are many people living in the gasfield that are complaining of health related impacts that include:

- constant headaches.
- migraine headaches.
- polyps in noses due to environmental exposures.
- spontaneous nose bleeds.
- sleep deprivation due to low frequency noise from infrastructure and large processing plant.
- lethargy & tiredness.
- memory loss & lack of concentration.
- skin rashes.
- sore eyes.
- metallic taste in mouths & tingling lips.
- children missing so much school due to sickness that they need to repeat years.
- psychological stress on family.

No Baseline testing has been conducted prior to the rolling out of the massive industrialisation. Even new projects approved in just the last 3 months have not had a requirement by the government on the industry to undertake transparent baseline testing.

No ongoing testing of the atmospheric status has been undertaken even though it has been a recommendation of the government's own report and begged for by residents in the gasfield.

There are exponential sources of emissions of Methane and other contaminants that are not being measured at all for quantity, quality, or otherwise quantified or reported on by the industry.

The only reference to this type of investigation that I am aware of is:

Methodologies for Investigating Gas in Water Bores and Links to Coal Seam Gas Development

Glen R. Walker and Dirk Mallants September, 2014 For: Queensland Natural Resources and Mines

4.2.1 FIELD MEASUREMENTS OF FUGITIVE EMISSIONS FROM EQUIPMENT AND WELL CASINGS (CSIRO)

Methane emissions were measured at 43 CSG wells – six in NSW and 37 in Queensland (Day et al., 2014). Measurements were made by downwind traverses of well pads using a vehicle fitted with a methane analyser to determine total emissions from each pad. In addition, a series of measurements were made on each pad to locate sources and quantify emission rates. Of the 43 wells examined, only three showed no emissions. The remainder had some level of emission but generally the emission rates were very low, especially when compared to the volume of gas produced from the wells. The principal methane emission sources were found to be venting and operation of gas-powered pneumatic devices, equipment leaks and exhaust from gas-fuelled engines used to power water pumps. Although the well pad emissions were low, a separate, larger source of methane was found on a gas relief vent on a water gathering installation close to one of the wells examined during this study.



Figure 18 Photographs of the field vehicle with the GPS antenna and sonic anemometer are visible on the top of the vehicle (left hand photograph). The methane analyser and a calibration gas cylinder are shown in the rear of the vehicle (right hand photograph). (Source: Day et al., 2014).

This statement from the report seen above the photo, is false, based on poor data, and is ignoring the fact that the methane is not the only element present in the gas. This statement also ignores the multiple other points of emissions, HPVs and vents on risers which out number wells by approximately 3 to 1.

Points to be considered for what is lacking around this type of data:

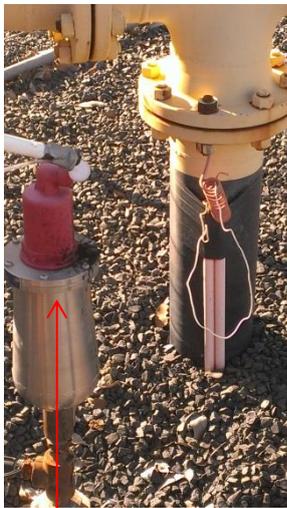
- Many references are made to methane emissions in research and papers and industry documents.
- The link to what else is in the gas is not discussed
- The link to what else is in the gas and its impact on the soil, air and water is not made
- The link to what else is in the gas and its impact on the health of those living intimately with the emissions is not made
- The release of methane is being made out to be acceptable or at least not harmful and 'only a green house gas contributor' and the CSG emissions lumped in with any other underground methane emission.
- These points of emission are not monitored or measured or in any way quantified.
- They are not listed in any EIS or EA or CCA, nor is the specific toxic chemicals that are generated with the methane at these points.
- Interesting to note the number of emission points and the sheer volume of methane vented from the water line in the gasfield

Points of emission government should be concerned with.



Point 1: Exhaust from HPU

Point 2: Emissions from well based vent on water



Point 3: emissions from vents on risers from water line throughout gas field



Point 4: emissions from high point vents on from water line throughout gas field

In addition to this missing data/study is the implications and parallels drawn to the additional emission points of methane and the associated emissions in private Stock and Domestic water bore that are impacted from CSG industry extraction of water.

In stark contrast and quite clearly in an attempt to ensure there is no data and no problem, the EHP already have a system of atmospheric monitoring for the rest of the state,, Why not here?

<https://www.ehp.qld.gov.au/air/data/search.php>



Figure 1 Private Domestic bore blowing enough gas to blow up a glove

Social

The social impact of the industry has been devastating. It has divided extended families, it has resulted in many marriage break ups, it has changed the very fabric of the community with many locals leaving and socioeconomic disadvantaged groups being sent to the community due to the devastating economic downturn.

My initial problem with CSG is the fact that a Multinational company can walk onto a persons free hold land and install damaging infrastructure that produced toxic emissions and leaks toxic fluids and the individuals have no ability to deny access and little to no support in making the companies accountable for the damage.

Secondly the amount of land that the Multinational CSG companies purchase from our community is stunning. Much of this land purchase is on direct access to creeks and rivers and include the farmer's water allocation.

This land grab significantly impacts on the social fabric of the community. Those people used to volunteer, buy their lunch in town, buy their groceries, buy their rural supplies in town. They went to our schools and our churches.

Now those properties no longer contribute to our national agricultural production. They are no longer being managed and stewarded intimately by individuals connected to the land and the community for pest and disease and fire fuel load.

Extraordinarily, the multinational CSG companies then lease this land grabbed country to a singular corporate entity to exponentially increase their Feedlotting capabilities again devastating the local producers.

This purchased land is peppered with unfettered CSG operations, without the rigour an individual farmer would hold them to, and the cattle are being backgrounded among it. And yet there is no baseline testing of the impact of the industry on the air, water, land, or plants/animals produced among it.

The impact of the industry is to insidiously industrialise a rural landscape and transform individuals pursuing peaceful contributing lives into a living nightmare of unimaginable noise, massive increase in vehicle movements, light pollution day and night, atmospheric pollution from very small inspirable particulates such as silica to

atmospheric pollution so obvious it changes the colour of the sky and the surfaces it lands on.

The insidious creep of this industry is in some ways the biggest heartache for the locals. Instead of being honest and starting out that the district is being reallocated by the government from being Australian and rural to being multinational and industrial and giving people dignified and fair opportunities to move out and move on with their lives or adjust their expectations and plans accordingly, an evil underhanded creeping approach is taken whereby the spin from the government and the industry try to deny the transformation is happening and force individuals to put up and shut up or vilify them into just walking away.

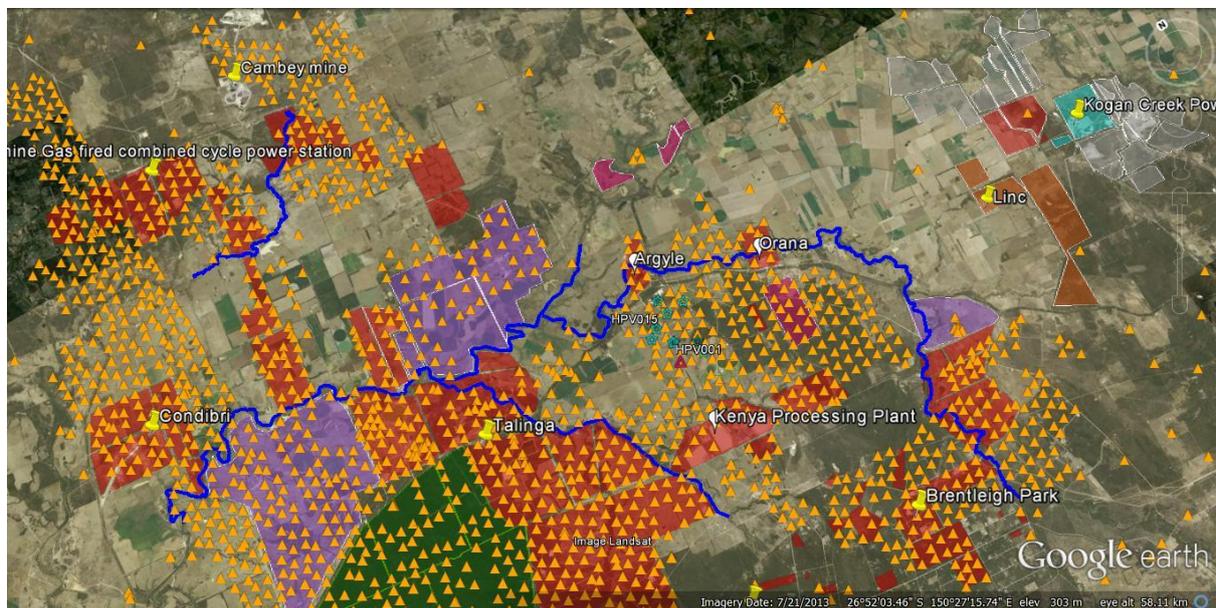
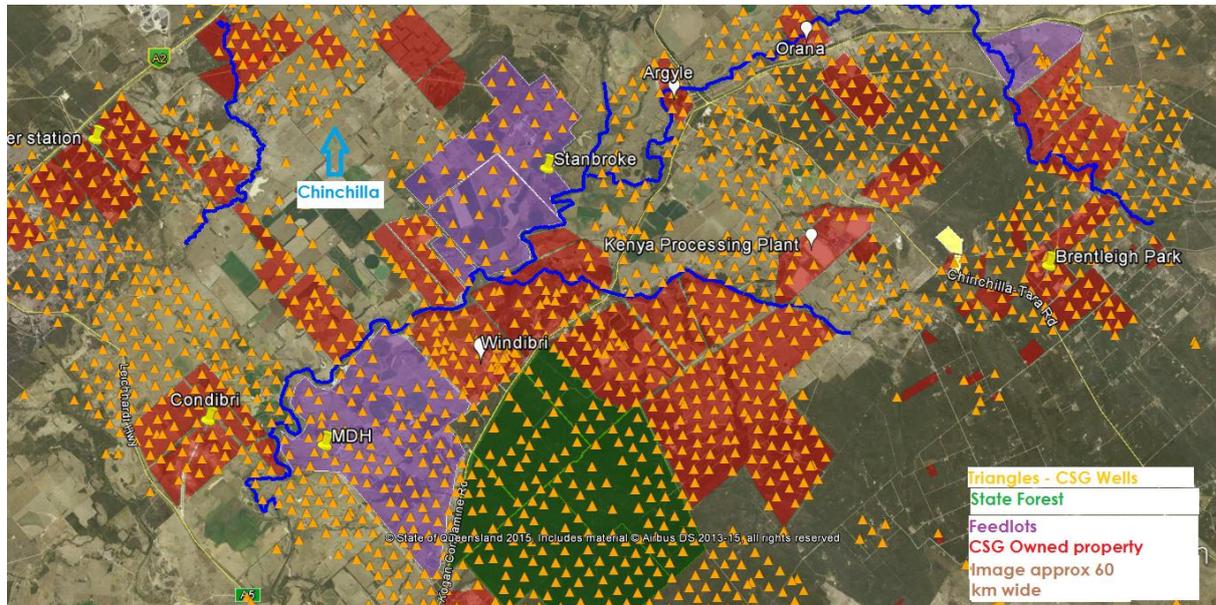


Figure 2 Infrastructure west

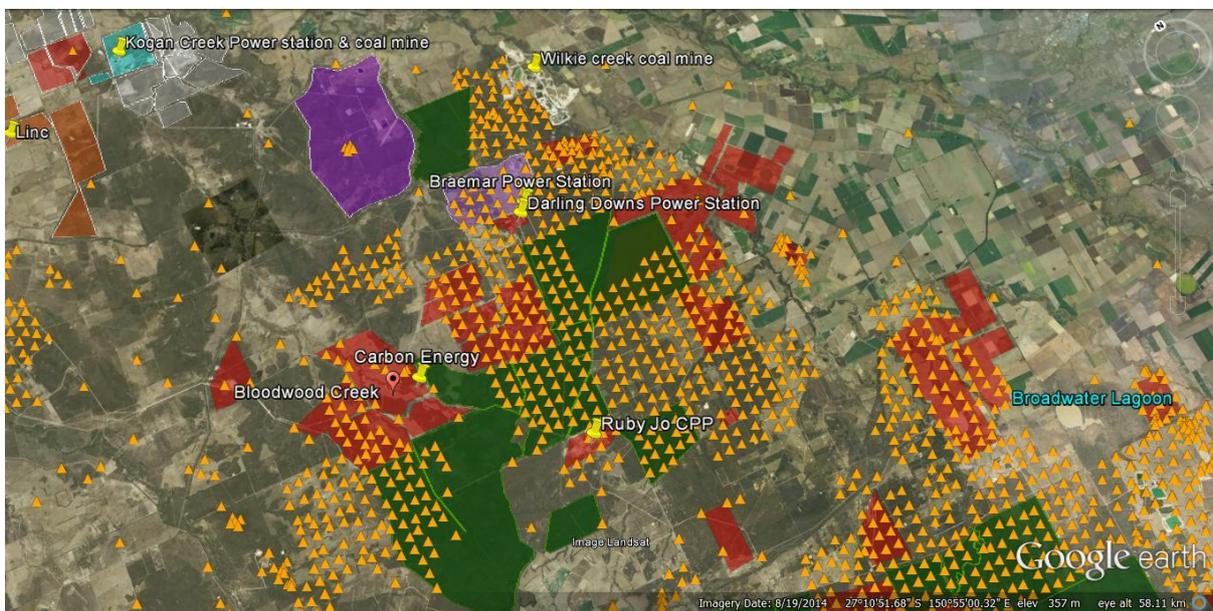


Figure 3 Infrastructure East

Business

Many businesses were priced out of operations due to outsourcing by the industry in the early days, then those that managed to survive were not able to as the massive economic hit occurred when the industry walked out of town leaving unprecedented real estate vacant and the dollars going with them.

Agricultural & Environmental

The agricultural sector has suffered through the loss of employees to the supposed lucrative mining jobs. However a greater impact that this industry will have on the agricultural sector will be the removal of water from the underground resources, the removal of stock and domestic water bores, the buying up of water allocations by the industry, and the buying up of what was dozens of small operators and the inevitable monopoly of one large corporate feedlot.

Combine that with the casual use of produced water, land spraying, lack of biosecurity, buried infrastructure acting as hidden landmines and the damage will be untold and unfixable.

The quiet removal of Stock and domestic water bores as a fait au complit is one of the most extraordinary thieving actions perpetrated on this and future generations. I only hope someone else is able to provide a detailed submission on the way in which the Government has authorised the wholesale removal of a water resource from the farming families of this and future generations.

The image below shows the domestic water bores that have exhibited massive water and gas emissions (also described as 'kicking') as a direct result of the water table being removed through CSG Activities. The area is one of Prime agricultural land. According to the Government's own report many of these bores were on the 'long term effected list' but have started demonstrating significant impact already with the only solution being to close them in and remove them from the farmers assets.



Landholder

I strenuously request that the format of submissions be widened to allow other formats to be accepted such as digital voice and video submissions. I believe this will encourage those who find the traditional submission format intimidating and overwhelming to submit essential evidence that would otherwise not be available for consideration by the Committee.

Flaring /Venting

We live approximately 4 kms from the Orana GPF. Despite the rhetoric in the APLNG EIS and SIMP we have had no stakeholder or community consultation. We can see the facility as a bright glow in the scrub, and the flicker of the flare is also significant.

We can hear the roar of the flare.

We were considering building a back deck to enjoy the milky way and the massive night sky. However, the night sky is no longer the bright starscape it once was. They must have the technology and the knowledge to manage the light pollution. They just don't care. They have government sanction to roll across the landscape and the people as collateral damage.

Community consultation

When we heard that Origin would be coming to Hopeland and rolling out their gasfield, we formed a loose community group and approached Origin formally and through the CSG compliance unit to determine what their approach would be, where the infrastructure would be going, and how we could as community members raise our concerns.

Repeated requests for meetings and discussions were ignored and eventually, Origin failed to meet with the community. This was despite having the CSG Compliance unit intimately involved in our requests and interaction.

Origin and the industry as a whole prefer to deal with individuals. They would prefer a community not get together and share information or provide a united front to their

insidious activities. They would prefer strategic and well informed communities not ask difficult questions and prefer picking off individuals.

The problem with this is that the outcome of the industry is very much a community issue. The noise, the light pollution, the atmospheric pollution the unfettered vehicle manoeuvres, the location of polluting infrastructure such as high point vents, ponds, landspraying, are all heavily community based impacts. This is why they prefer to deal with individuals who will never see the big picture until it is too late.

Please see attached our list of questions that we sent to Origin to which after months of letters, calls, to both Origin and the CSG Compliance unit, they never answered other than to suggest we go to their website and download a prohibitively large amount of data that was still not specifically answering our questions.

Baseline Testing

We live nestled within the Kogan Creek Power Station, the Linc Underground Coal Gasification Plant, the innumerable wells and infrastructure across the Kogan Condamine Highway, Industry commissioned Powerlink Powerline, the APLNG Orana Gas Processing Facility.

While all of these private multinational companies have had Queensland Government support to finance, establish, setting helpful regulations to their operation and appropriation of farmer's property, no one, least of all the government has undertaken any bench mark, baseline testing of our rivers, Creeks, noise and vibration, light pollution, drinking tanks, atmospheric contaminants.

It remains the responsibility of the individual with the financial resources for a prohibitively expensive process and let alone the wherewithal, to instigate this testing and pursue its ongoing monitoring and when necessary require its remediation.

c. Government and non-Government services and assistance for those affected;

There are no government or non-government services and assistance for those affected.

This is infact another huge gap in the Industry and Government approach. There is no group/department/business in existence that advocates solely for the individual property owner/ neighbour. There is no one who interprets the Environmental Authority, the Compensation and Conduct Agreements, etc and assists the individuals in the management of those things on their day to day lives, home and livelihood. Where as traditionally they would have Accountants, Agronomists, Vets, etc to assist them, the great and unimaginable impact of managing the impact of this industry on them as individuals and families and small businesses on a day to day basis is totally unsupported. This is why I have a unique perspective on this, as I was attempting to fill this role in my own immediate local area. (See F & G above)

I have sent multiple emails submissions and letters and have taken part in multiple government visits to those affected and attended inquiries including,

- Premier / Prime minister
- Minister McVeigh
- Mayor/ CSG Commissioner Ray Brown
- Member for Warrego – Anne Leahy
- Member for Maranoa – Bruce Scott
- Bill Date
- Scott Little
- Stephen Ward
- Minister Fentiman
- Minister Miles
- Stephen Bennett (Member for Burnett, Shadow Environment)
- Chief Health Officer and Chief Psychiatrist
- Director General of Health
- Director General of Environment
- Landholders right to refuse Inquiry
- MERCPC Submission
- Letter to Newman and Cripps re MERCPC
- Draft Planning and Development Bill 2014 (P&D Bill) and Planning and Environment Court Bill 2014
- Environment Protection and Biodiversity Conservation Amendment (Standing) Bill
- Submission against Landspraying
- Select Committee on Certain Aspects of Queensland Government Administration related to Commonwealth Government Affairs

Nothing has changed or been undertaken to address the devastating information they were provided.

The only service suggested is provided in the letter and pamphlet provided by the Chief Health Officer, who note, did not mention gas mining once in her letter responding to the 2 days she spent in the western downs visiting with 8 profoundly impacted families.



In fact each interaction only serves as evidence that the government whose precise objective is to support the people of this country, is impotent and duplicitous with the resource sector.

Please note two letters in particular sent to the Premier and ministers in the Addendum. These letters spell out and beg for attention and support and change and the response has been inept, inadequate and ultimately negligent.

And yet, the government and several “industry groups” who have failed to demonstrate their mettle in this crisis met to identify regional planning interests such as the Darling Downs Regional Plan. This document’s creation would have cost a lot of money and time and it is quite a useful document. This document is not implemented or even referred to in attempting to control the unfettered development of CSG with particular regard to priority agricultural land or priority living areas.

The Government has done nothing to enhance the plight of the farmer in this situation, it has only exacerbated it by removing rights to object, protest, making farmers’ access to water (obviously a critical element to farming) a farce by allowing CSG companies unsustainable access to use and then pollute an unrenewable resource.

Gasfield Commission as an example:

Our community (Hopeland, Chinchilla) had established a community interest group in order to protect our Priority Agricultural Land from Coal Seam Gas damage.

I had rung the Gasfields Commission as one of the first calls to make to determine any information and support that may be available. As my research and on the web site indicated it was explicitly described as a source of information for this very activity.

“The Queensland Government established the Gasfields Commission to manage the co-existence of rural landholders, regional communities and the coal seam gas (CSG) industry in Queensland.

Based in Toowoomba, the Commission is a statutory body under the Gasfields Commission Act 2013. The Commission is part of the Queensland Government’s commitment to give local communities a more direct say on the responsible development of the CSG-LNG industry.”

Source: <http://www.business.qld.gov.au/industry/csg-lng-industry/gasfields-commission>

After several emails directly to one of the Gasfield Commissioners who also is the mayor of my region (and that have still not been replied to), I called the Gasfield Commission directly. I was told that I had called the wrong department and that they would not be able to help, and to call the Coal Seam Gas Compliance Unit.

This was not only frustrating but contributes to the general opinion that any government department established to address the needs of the resource onslaught, is not in anyway there to support the individuals trying to live with it.

With regard to a conversation that I had with the Gasfields Commission Managing Director.

In September I emailed the Commission and asked for a copy of the Register of Interest for the Commissioners.

I received a phone call the very next day by about 8.30am from a man who identified himself as the Managing Director for the Commission. He advised me that the Register of Interests for the Commissioners was in a safe under lock and key and that it was not for public access and would only be viewed by a court of law if it was required.

I later received a phone call from Mayor Ray Brown where he threatened me with legal action if I again made suggestions against the integrity of the Council or Himself.

I felt intimidated and that the commission was not being transparent.

Government Inquiries and report recommendations summary – nothing done - another example

There have been two inquiries to date regarding the impact of CSG.
The Select committee into the conduct of the government and the Right to say no.

Both have come up with excellent recommendations in support of those affected.

None of those recommendations have been implemented. What does that say about the level of government assistance for those affected?

I submit these previous recommendations here in the hope that they will be revisited in this inquiry and its report.

See Addendum 3 for the summary of previous recommendations.

d. Compensation and insurance arrangements;

The compensation and insurance arrangements are woefully inadequate and are ridiculously in favour of the industry.

The industry are allowed to make their own arrangements for managing impact and compensation for those affected directly through having infrastructure on their property.

There are also those who suffer in silence as they are just as impacted from neighbours who sign up for infrastructure, but have no claim for impact or suffering.

In the words of the Land Access Implementation Committee Report 2013 –
“Based on the findings of an independent consultant’s report on reviewing the heads of compensation, landholder/resource authority holder negotiating practice is evolving naturally with more experience and education. Consequently, the Committee agrees that it would not be prudent for the government to intervene in this evolution and further legislate heads of compensation.”

e. Compliance and penalty arrangements; and

f. Harmonisation of federal and state/territory government legislation, regulations and policies;

Overall the amount of regulation and oversight that exists to manage this industry is pathetic and in no way capable of fulfilling the cry that the lobbyists and PR spinners produce adnauseum – Robust Regulatory regime.

See the link below to the Governments own report. This report provides an impression of just how inadequate the enforcement agencies are and just how little of the enforcement activities are NOT “desktop” and how little they have any focus or perspective of the landholder forced to live with the industry.

<https://www.ehp.qld.gov.au/management/non-mining/documents/csg-lng-compliance-endyear.pdf>

The only authority provided to the CSG companies to undertake their activities is the Environmental Authority. However the impact of CSG is greater than on the environment and the minimal restrictions placed upon them in that document. There is very real and measurable impacts on:

- the health and safety of the public living in and around the CSG
 - emergency procedures for those living in and around the CSG
 - the business impact for farmers
 - the impact on the very fabric of the communities they move into and overtake
- Instead, the government outline vague “coexistence criteria” and again leave it to the individual Farmer to regulate the impact and damage that is made on their property.

I have had years of experience in facilitating formal complaints to the Administration and Enforcing Authorities on behalf of many individuals and myself impacted by the industry. In doing so I have also experienced the poor standard of infrastructure that the industry has installed across this land and the ineptitude and poor standard of regulation and enforcement of the little regulation there is by the authorities.

The ability for the individual to complain is limited to the Department of Environment and Heritage Protection (EHP) and the relevant Environmental Authority (EA), and the Department of Natural Resources and Mines (DNRM) and the Petroleum and Gas (Safety) Act (P&G).

These tools are totally inadequate for the protection of the health and safety, biosecurity, property rights, and human rights of the individuals on the properties impacted.

The EAs have arbitrary limits. Using noise as an example. Where by in the EA the existing background noise established in the EA is not reflective of what the property owner’s original background noise would have been. So the property owner is already forced to start from a false baseline in proving impact. The complaint is required to be a ‘valid’ complaint to the EHP whereby the CSG Company is able to have direct influence on the administrator by saying that an individual complaining is malicious. The CSG company is charged with undertaking their own monitoring which enables them to stack the results by having certain infrastructure turned off or there being convenient ‘failures’ in equipment at opportune times in the recording.

Leaving it up to a fortunate event of an admission of a breach from the CSG company for the EHP to finally rule the individual's complaints as being 'valid'.

The CSG Companies are able to buy their way out of complying with EA standards by having an "alternative agreement" with individuals taking payment to accept lesser than standard government set compliance requirements. Again this is undertaken on an individual basis, leaving other individuals in the area effectively 'the last man standing' and expected to put up with what those around them have negotiated or a long and arduous battle with the CSG Company and the Authority to enforce the original arbitrary standard. ABSURD

In addition to this there is no recourse for the neighbours living near the infrastructure and impacted just as much as the property owner, but they have no say or recourse as the equipment is not on their land. This results in ridiculous situations where the property owner ensures infrastructure is placed away from their home, while the infrastructure is placed closer to the neighbour. For example, a major pipeline with vents is placed on a property with the 'negotiated' permission of the owner, on the boundary of their property away from the home, which places the infrastructure just 80 metres from the neighbour's home. Another example, infrastructure is placed around the outside of a property near the boundary, which through the documentation produced on pressure testing of the infrastructure actually requires the neighbour to not use part of his property due to risks of pressure testing failure. This demonstrates the infrastructure has a potential impact on the neighbour, but it is not in any way addressed, compensated for, or negotiated, as it is done with the property owner's permission and no involvement of the neighbour.

The Conduct and Compensation 'Agreements' are firstly hardly negotiated, when signing the agreement is forcibly required. Also they are totally without standard or oversight. I have particular examples where absolutely no conduct standards are agreed to, the only escalation of grievances are to a senior member of the Multinational Company, ie no third party mediation available through the contract, the contract surreptitiously has the signee surrendering rights and indemnifying the un-indemnifiable such as the CSG company is indemnified for any damage the produced water they supply causes. The contract was signed at a time where neither the company nor the individual nor the government could possibly have known the impacts in 10 years from the signing, and yet, the company refuses to revisit or renegotiate the contract.

This means that the Individual is limited in the way in which they can pursue the multinational companies for their impact.

Please refer to the two examples following as examples of how the legislation and authorisations provided to the multinational companies are neither rigorous nor robust, nor are they in any way considering the needs of the people expected to live amongst the unfettered industrialisation by foreigners.

Please refer to the addendum of the complaints, letters and responses that will demonstrate how the little regulation that exists around this industry is entirely inadequate and will never be able to manage this industry on a local level let alone a wider state basis or god forbid a national basis.

Landspraying as an example:

The following is an extract of the submission made on behalf of the people living and farming in PL 272 for the Government to refuse giving approval to Origin to use Landspraying to rid themselves of the massive amount of liquid drilling waste.

This example is designed to demonstrate how little rigour is undertaken by the government and the industry in Compliance and regulation in regard to approving and conducting long term damaging activities that impact on the locals, their health and safety and their futures.

The application to amend the environmental authority for PL 272 should be refused on the basis of the considerations stated in sections 3, 5, 176, 191 and 235 of the Environmental Protection Act 1994 and the other relevant considerations having regard to the subject-matter, scope and purpose of the Act:

1. Approval of the application would be contrary to the object of the Act as stated in section 3 because approval of the amendment will not protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
2. Approval of the amendment would be contrary to the precautionary principle, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
3. Approval of the amendment would be contrary to intergenerational equity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
4. Approval of the amendment would be contrary to the conservation of biological diversity and ecological integrity, which is a principle of environmental policy as set out in the Intergovernmental Agreement on the Environment and, therefore, part of the standard criteria for the decision.
5. Approval of the amendment will have adverse effects on the character, resilience and value of the receiving environment.
6. Approval of the amendment would be contrary to the public interest.
7. Approval of the amendment will cause material and serious environmental harm.
8. Approval of the amendment would be contrary to appropriate consideration and application of the environmental protection policies on noise, air and water.
9. Approval of the amendment would be contrary to relevant Commonwealth and State government plans, standards, agreements or requirements about environmental protection or ecologically sustainable development, including but not limited to the Darling Downs Regional Plan.
10. Approval of the amendment would be contrary to appropriate consideration and application of an environmental objective assessment, which is as a regulatory requirement and a standard criterion for the decision.
11. Approval of the amendment would inappropriately rely on a singular in house proponent self-determined and assessed 'trial' is insufficient.

In the alternative to grounds 1-13 above, if the amendment is not refused, conditions should be imposed to address the matters raised in grounds 1-13 in accordance with the regulatory requirements.

Facts and circumstances relied on in support of the grounds of the submission:

1. The application Question 2 describes the reason for the application as a minor amendment:
 - The relevant information provided by the proponent re Section 223(b) of EPA states that the "amendment will not significantly increase environmental harm authorised under EAs as evidenced below.
 - Environmentally sensitive areas
 - Watercourses, wetlands, lakes or springs
 - Air quality

- Noise quality
 - Final rehabilitation acceptance criteria.”
- The EA does not authorise Environmental Harm, and in this point specifically the proponent insists that landspraying will not significantly increase the harm that is already being done. This must categorically require the application to be rejected.
 - The evidenced listed to reference does not include any reference to the damage that will be done to the land that the product is sprayed on. Therefore is missing a critical part of the “evidence of no significant increase in environmental harm”
 - The referenced document does include a section on Land despite the absence from list above. And in their own words identify that at least an increase to the EC of the soil is not only possible but a direct outcome of the ‘trial’. While assurances that ‘changes to the controls’ have been implemented as per the report, such a documented outcome of the activity is an unacceptable risk, especially considering the Strategic and Priority Agricultural land that is included in the tenures affected.
2. This section goes on to state the activity will result in no increase in contaminants and is merely changing the location of disposal. (c & f)
 - This is wholly inaccurate, where before the drilling waste was placed in a sump and removed for disposal in a regulated controlled manner, it is not being proposed to be disposed of in a wholly uncontrolled manner in spraying the waste across the land.
 - The proponents description further detailed in sections 11 and 12 of the trial report is inadequate in its ability to describe adequate control measure for spraying CSG drilling materials into the open environment.
 3. This section goes on to state that there will be no change to the rehabilitation objectives. How can this be so if there is a change to the activities by allowing landspraying which must in fact significantly increase the potential need for rehabilitation.
 4. Question 3 in the application describes the location of where the activities will be carried out will be within the existing approved current footprint of the environmental authority
 - This is not at all accurate. The landspraying activity will be carried out on land that is not currently directly impacted by CSG activities, ie not within well lease, not within other infrastructure areas. The landspraying will be undertaken in a wholly additional area, being a further landgrab on the behalf of the industry and in fact significantly increasing the footprint of the activities.
 5. Question 5: Financial Assurance. Landspraying will significantly increase the area to which potential CSG drilling contaminants are spread. This must result in an analysis of the adequacy of the financial assurance held. In addition, nearly \$100,000,000 in total is held in financial assurance. Given the turn down in the industry, this must be reassessed as to the company’s capacity to fulfil and in relation to this further risk incurred through landspraying
 6. Question 11 asks if the resource area is in an area of regional interest. The PLs listed are not in an area of regional interest ONLY due to an effect of timing of granting of PL. Areas such as PL 272 are all expressly Priority Agricultural Land and Strategic Cropping land. They should not be subject to such poorly researched activities that are only resulting due to the desperate need to find a way to dispose of the unmanaged waste from one industry on another industries land is an unacceptable “waste management” activity
 7. Question 18 asks for information on managing waste from the amendment and the proponent response was : “Refer to Section 3.6.5 of the Supporting Information Report (Q-LNG01-15-EA-0152_05).” This section does not exist in the document.
 - This raises further questions, there is not discussion in the trial as to what will occur with any waste from the landspraying activity.
 - Additionally, there is not discussion to answer this specific question in the application, further assurance that the application should be rejected on the basis of being incomplete.
 8. Question 17 requires an assessment of the environmental impact and supporting information. The information provided in the trial document and the supporting information is inadequate to determine environmental impact as it lacks peer review and input from stake holders such as farming industry, Murray Darling Basin, etc. It is merely a measure of the company’s ideas of

what is to be assessed. This has been a failing in the previous impacts through approvals such as Linc Energy and the Beneficial Use Agreements.

9. I refer to and submit as part of this submission the : “Queensland Murray-Darling Committee Submission on Australia Pacific LNG Project’s Application to amend Environmental Authority (PEN 100070307), SUBMITTED BY: Geoff Penton (CEO) Queensland Murray-Darling Committee Inc” and submit that the issues raised in this preliminary submission remain unanswered by the proponents in this application based on the trial and is further indication that the application be rejected.
10. The run off and secondary impacts cannot and have not been measured.
11. The wholly inaccurate description of PL272 in the proponents Plan of Operations indicates their ineligibility to be attempting to undertake such self assessed activities in Priority agricultural areas.
12. The incidents with the leaking high point vents, leaking Pressure relief valves on condensers, RO water and Ring Tank blow out are all specific cases in point that illustrate the inadequacy of this introverted self managed approach to an industry that has such significant impact to the locals, and other industries.
13. This application may set a dangerous precedent and be a dangerous way of going around the normal evolution of legislation and getting an activity authorised by one company and by default for others.
14. A short term view is being taken by the industry and the government. CSG is an unsustainable industry with a significant problem with waste, producing damaging and presumptive and disparate suggestions such as landspraying to the detriment of another industries that are sustainable and through inadequate risk assessment and management, have others innocent affected.
15. In the light of the recent Hopeland Contamination disaster, (which frighteningly is in the tenures of this amendment), the government must start to demonstrate a long term view with a bias to the safety of the people, and the environment the people and their industries rely on instead of allowing poorly assessed ‘solutions’ to an unsustainable industry owned by a multinational.
16. It is not necessary to be reinventing the wheel, the damage suffered by USA already indicates this is fraught is danger and negatives, the activity of the Australian Government in event entertaining this particular version of landpraying is absurd. The fact that this application does not even reference the experience of the USA in this aspect is also absurd.

MERCP as an Example

Changes to the MERCP Regulations as an example of amendments and legislation that not only do not provide adequate protection for landholders, they also provide an unnecessary greater burden on the landholder and legislates for less accountability for Mineral and Energy Resource companies.

1. Entry Notices

Regarding Entry Notices, the following changes are recommended to the regulation:

- Notices to be prescribed to be given in writing;
- include details of the landholder's rights to refuse and seek legal advice regarding the entry notice. This should be similar to an Office of Fair trading type warning required for the Property disclosures in real-estate. (see Waiver of Entry Notice below)
- include specifics of who will be entering the land. Resource companies may have unlimited contractors undertaking unlimited 'preliminary' activities. This should be specific and not an open door policy;
- include more specific prescribed information regarding what the entry activities are.
- the current information in the notice is only general information. However the actual activities could be vast and the impact on the landholder is significant. This should be addressed through prescription in this section of the regulation.
- This notice is the very first of many interactions with the landholder. It sets the precedence. In its current state and that outlined in the regulation, it is the point of origin for the ongoing lack of description and therefore lack of accountability of resources companies, and subsequent lack of recourse for the landholder. This is then perpetuated throughout the (potentially) decades long 'relationship'.

2. Waiver of Entry Notice

- There is not enough consumer protection for the landholder around the wording of the waiver of entry notice, the way in which this is written in to seemingly innocuous letters generally describing entry and the encouragement of the landholder to waiver notice.
- The Waiver of entry notice should not be even offered in the legislation as an option. This should be a legally protected arrangement entered into and enforceable by the landholder. Having this option in the legislation is again eroding property rights by the normalizing of trespass.

3. Period of Entry

- 6 months – 12 months is too long for the period of entry to span. Too many seasons and too many changes in the activities of the landholder occurs through such a span.
- This extended period of time gives the resource companies too long of a window and does not encourage them to manage their activities in a timely manner.
- It leaves the landholder with an unacceptable window of uncertainty as to the impact of the activities on their business and personal life.

4. Signatures of Owner OR Occupier

- This is another removal of respect for the rights of the landholder. Surely an activity with the potential for serious impact on a landholder's property must require the signature of the OWNER AND possibly the OCCUPIER of the land?

5. Opt-out agreements

- The opt-out element in these regulations must be removed. It is another way to ensure that responsibility and accountability of the resource companies is diluted and another step removed from the protection of the landholders' rights. This should not be an option. It is akin to asking a natural person to indemnify the acts of a multinational company. This must be considered a human rights issue.
- The landholders in many situations will not have the necessary experience or knowledge, and given the scant detail provided by the resource company, the specific information required to make an educated and sound decision.

6. Restricted Land

- While the intention to ensure that Landholders have some degree of certainty regarding the amenity, safety and security of their own property, I object to the poor distance of 200m.
- This is tacitly removing the importance of compliance with the Environmental Authority.
- It is not possible to meet the noise, dust, light and atmospheric environmental conditions for the amenity of the landholder at a distance of 200m from any activity to do with the advanced resource industry activities. Infact noise breaches can occur from a distance of 5 km.
- It is therefore nonsense to consider a distance of 200m from a residence to be realistic.
- By setting such a close limit to residences the MERCPC Regulations are infact not taking into consideration the very real impact these activities have on the health and safety of residents.
- There is certainly not enough evidence available to establish a safe distance from wells and other infrastructure. A suggestion of such a short distance is ridiculous.
- Again, this section is in no way representing protection for landholders, instead it is a thinly veiled land grab.

7. Conduct and Compensation

- It is unacceptable to limit the amount of help an individual can have in a meeting required by others to require access to your land that you did not initiate using a contract that they have written for their purposes.
- This section must be removed, and regulations with the intention to protect landholders from hungry multinational companies inserted.

g. Nil;

h. The unconventional gas industry in Australia as an energy provider;

The costs, both health, social, business, agricultural, environmental, landholder and economic impacts of unconventional gas mining far outweighs any imaginary benefit of using the gas as an energy source. The use and investment in solar energy make much more sense.

i. Nil

j. Any related matter.

Incident and emergency management

The gas companies have brought thousands of cubic metres of highly flammable gas to the surface, and are uncontrollably venting the gas from hundreds of high point vents all over our communities and piping it under pressure to the LNG plants at Gladstone. In addition to this, they are trialling underground storage of the gas in some locations.

Clearly, now the threat is much greater. Bushfires in Australia are always a giant fear and now the gas companies have added all this flammable gas to the mix. When I have asked the government for details of how our community is to respond to an emergency with regard to the presence of gas, there is no answer to the question.

The water and gas leaked out of a well during the incident for approximately 48 hours. The gas company involved has long been telling us that they can shut down all pipes and infrastructure on the gas fields from a remote control centre. In this case, it was determined due to the incident that 'this well (and how many others) could not be remotely controlled from the control room'.

On the one hand, they are telling us they have these great systems in place for any emergency and here in a clear case where they could show us how well it works, but their fabulous system failed. How many other wells have the same fault and a bushfire is not time to figure out there is a problem with this control measure.

Generally, the issue is that there is no transparent and detailed emergency procedures as far as the community is concerned. We only get told that the companies have procedures. Well, how does that apply to the individuals living among the hazard? What do we do when we hear sirens from the infrastructure? The police and ambulance and fire brigades have not got methane detectors. How are they expected to assess the added hazard?

Kate 6 Well Incident as an example

See attached incident description. There were at least 2 other similar incidents in the days around this incident. None of these were reported to the community either.

See attached response from the CSG compliance unit to questions asked in regard to this incident.

Issues:

- Company did not know of the incident
- No first responders had gas detectors, so who knew it was safe
- No measurements of the atmospheric impacts of radon or the standard of the water were undertaken and reported back to the community
- Company was left to investigate the incident themselves
- Community had no idea what to do in an incident
- Why would the government say reporting to the police was not correct method, instead should have reported to the company
- Why did the company telemetry not work and not hooked up, why is this incident and investigation and outcome not widely distributed
- Was any compliance or penalty arrangement implemented
- Why when these activities are part of the lives of the people, are the people not informed and reported back to with regard to such incidents.

The community are treated like unwelcome intruders into the workings of these companies. We are just expected to put up and shut up.

Shay Dougall

82 Fletts Road, Hopeland 4413

0746654072

A rectangular image showing a handwritten signature in cursive script. The signature reads "Dougall" and is written in dark ink on a light pink or purple background.

Addendum 1- list of individuals assisted and type of assistance

Individuals	Infrastructure on property	Summary
A	No	Advocate with EHP/Industry over impacts to lifestyle, noise, atmosphere, water, ill health
B	No	Advocate with EHP/Industry over impacts to lifestyle, noise, atmosphere, water, ill health Advocate in attempt for purchase
C	Yes	Assist in identifying contractual failures and poor standards of infrastructure Assist in understanding requirements of P&G Act Advocate with EHP/Industry/DNRM
D	Yes	Assist in understanding implications of contract
E	Yes	Assist in understanding implications of contract Assist in debriefing after 'negotiations' with industry over access and purchase of property was so traumatic the individual was now tranquilised, had shingles and had ongoing stress related reactions.
F	No	Assisted individual in preparing a submission against a material change of use which would see a frac sand quarry on their neighbouring property
G	No	Assisted individual in understanding the techniques of industry and their rights under legislation. Assisted individual in making complaints to industry and government regarding impact of industry Assisted individual in making submission to government for inquiries Assisted individual in understanding the impact of industry on their property and how to protect and prepare
H	Yes	Assisted individual in ongoing management of interaction with Industry on their property and administration of contract and legislation and EA
I	No	Advocated for individual in obtaining government investigation into impact on their water bore and family home and health from near by drilling and CSG activities
J	Yes	Assisted individual in preparing submission against the material change of use of neighbouring property as an open sewage storage plant
K	No	Advocated for individual with government and industry from significant impact on his property from nearby CSG Activities
L	Yes	Advocate with EHP/Industry over impacts to

		lifestyle, water, ill health Advocate in attempt for purchase
M-Q	Yes / No	Advocate with individuals in writing complaints, noise, atmosphere, water, ill health following up poor government responses, assisting Legal representatives to understand the issues the individual is raising

Addendum 2- Two letters to the Premier and Ministers

See attached documents

Addendum 3- List of previous inquiry recommendations

Landholders' Right to Refuse (Coal and Gas)

- ✓ Committee supports the principle that an agricultural landholder should have the right to determine who can enter and undertake gas or coal mining activities on their land. Landholders who provide access should be fairly compensated for doing so and shown respect when entry on their land takes place. The committee also expects that coal mining and unconventional gas projects to be subject to robust environmental regulation.
- ✓ Landholders' interests and the interests of future generations need to be respected as part of the development of the unconventional gas sector. The regulatory regimes in place also need to be robust so that risks to agricultural land and water resources are minimised.

Select Committee Certain Aspects of the Government

- ✓ Recommendation 11 The committee recommends that the Queensland government ensure all mining and other major development activities are consistent with Australia's environment and social obligations under international environmental instruments that Australia is a signatory to.
- ✓ Recommendation 13 The committee recommends that the Federal Minister for the Environment declare a moratorium on any new approvals of Coal Seam Gas until an investigation is completed and reports back to the Senate. The report should address the effects of Coal Seam Gas mining activities in the Tara and Chinchilla areas on the health of local people, animals and crops, groundwater and on the quality of soil, water and air, and also investigate the disposal of effluent containing human faeces around mining camps, local roads and agricultural land used for growing crops for human consumption and the degradation of water reserves in these areas.
- ✓ Recommendation 14 The committee recommends the Queensland government undertake an immediate review of the Department of Environment and Heritage Protection and its resource capabilities including staffing levels, expertise, arms-length requirements and conflicts of interest to determine and establish appropriate operating requirements for the delivery of quality outcomes for stakeholders. Further, the committee recommends a thorough review of the department to improve systems, processes, procedures, compliance, and escalation of issues, transparency and reporting. Ideally, an independent body should be established to manage escalated issues.
- ✓ Recommendation 15 The committee recommends that the Queensland Government complete a review of the Gasfields Commission Queensland including roles, responsibilities, conflicts of interest and independence.
- ✓ Recommendation 16 The committee recommends the Queensland government review all legislation implemented by the Newman Government to determine its appropriateness and compatibility with social justice/natural justice requirements and other land ownership rights. Further the committee recommends the review of mechanisms/instruments established by the Newman Government which impose unjust and unfair limitations or

requirements on land owners, particularly in relation to land use/access issues.

- ✓ Recommendation 17 The committee recommends that a royal commission be established to investigate the human impact of Coal Seam Gas mining.
- ✓ Recommendation 18 The committee recommends that a moratorium be called and that no further Coal Seam Gas mining approvals be given until a full investigation by the Federal Minister for the Environment has been completed and reported back to the Senate on; the human health impacts, animal deaths, crop contamination, drinking water and air quality, plus degradation of the water supply in and around the Tara and Chinchilla area.
- ✓ Recommendation 19 The committee recommends that a Resources Ombudsman be established to provide Australians with an independent advocacy body.
- ✓ Recommendation 20 The committee recommends that fracking be banned in Queensland.

Addendum 4– AGL Silver Springs Gas Storage

COULD THIS HAPPEN IN AUSTRALIA?

LOS ANGELES - ALISO CANYON / PORTER RANCH NATURAL GAS LEAK DISASTER -

Generally speaking Australia has followed in the footsteps of America in the Gas super highway.

Generally speaking general Australian population is not well advised of the activities of the foreign Gas companies in our own country.

With the articles and statements regarding the Porter Ranch disaster and the inevitable comparisons to our CSG industry, the following is a brief overview of similar infrastructure here in Australia, and the obvious questions that accompany it.

<http://www.dailynews.com/.../heres-what-you-need-to-know-abou...>

http://www.arb.ca.gov/res.../aliso_canyon_natural_gas_leak.htm

Queensland has started to develop underground unconventional coal seam gas storage facilities.

Gas storage facilities are either depleted conventional gas reservoirs that have been converted into unconventional gas storage facilities, or large salt caverns.

Current and developing underground gas storage sites in Queensland:

- AGL Silver Springs
- Santos GLNG Roma Underground Gas Storage : 3 depleted conventional Roma Gasfields –
 - o Pleasant Hills
 - o Grafton Range
 - o Pickanjinie
- Boree gas storage – salt caverns near Blackall – Adavale basin

Using the AGL Silver Springs (49 km south of Surat) as an example, following are some details of the project methods.

<https://www.agl.com.au/.../gas-sto.../silver-springs-gas-storage>

- AGL has a contract with QGC to store ramp up gas for 3 years from 2011 and send back along pipe for 3 years until 2017 to Curtis Island LNG
- It will store up to 33 Bscf (Billions of Standard Cubic Feet) of Coal seam gas
- The conventional gas field was discovered in 1974, with most of the production taking place prior to 2001 (PL 446 AGL gained a new Environmental Authority for the area for the new gas storage activities that relates to Unconventional Gas)
- This comprises CSG transportation by existing pipelines, to the Silver Springs compression and process facilities where the gas will be compressed to high pressure and injected and stored within the depleted reservoir (also an aquifer) through dedicated gas injection wells.
- Further water from the CSG is removed at the site prior to injection, and the produced water is sent to the existing evaporation ponds from the conventional oil and gas operation. Evaporation ponds are not allowed for CSG activities, but AGL explains it was not financially viable or logistically viable to update the existing infrastructure and they are satisfied the unlined ponds are still safely operational. AGL is also considering reinjection of the treated produced water into the Showgrounds Aquifer.
- To enable withdrawal of gas, new process equipment including a three phase separator, Triethylene Glycol (TEG) dehydrator and a gas heater have been added to the facility.
- AGL will provide QGC with storage services until 2018. After this period, AGL will be able to use the facility, providing significant commercial opportunities.

WHAT ARE THE RISKS IDENTIFIED BY AGL?

a) Loss of integrity (leaking gas) is a possibility. Checks with will be conducted to assess the condition of this cement column prior to running a new completion. This information will be used to assess the possibility and probability of any future leakage. Figure below shows the number of potential leak paths along a well.

b) Communication with aquifer is a possibility especially through the existing wells that are planned as monitoring wells. It is imperative that adequate isolation of Hutton and Springbok aquifers by cementing the surface / intermediate / production casings to avoid gas loss in the event of gas leakage.

c) Wellhead damage – catastrophic damage to the wellhead could result in uncontrolled release of stored gas. To reduce the possibility of this occurrence a visible crash barrier will be constructed around the wellhead.

QUESTIONS FOR THE INDUSTRY AND DNRM:

1. What are the regulations that has been developed to address this activity? Or is this also being run under adaptive management principles?
2. Are points above the only types of risks of an uncontrolled leak that has been identified? And are these the only controls that are in place?
3. How does this compare to the Aliso Canyon leak infrastructure? Is there anything to be learned from the Aliso Canyon incident that should be applied to the activity in Australia?
4. What is the composition of the gas being stored, how does it compare to conventional gas?
5. Is there anything to be learned regarding the pressure issues of storage from the Linc experience?
6. What monitoring is underway and where is the data available to ensure the integrity of the facility?
7. What inspections by the regulatory body have been undertaken.



Potential Gas Migration Paths along a Well

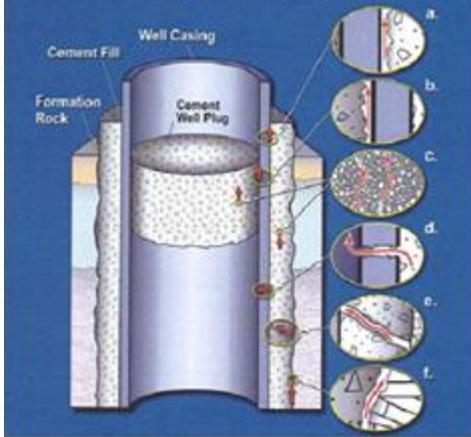


Figure 2-17 – Potential Migration Paths along a Well

Addendum 5- Questions submitted to Origin Energy by Hopeland Community Sustainability Group

See attached

Addendum 6- Documents relating to the Kate 6 Incident

See attached