



**BY EMAIL**

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Open Letter To The Honourable Ms Paluszczuk, Dr Miles, Dr Lynham, Dr Dick, Mr Byrne.

I wish to put you on notice of the current and further impending clear and present harm that is being caused by Origin Energy in particular in and around PL272 and CSG companies in general in our area of Surat Basin.

To illustrate this and describe the specific actions I believe is necessary, I have listed examples and details below.

Also I would like to bring your attention to the following specific elements of the legislation that are repeatedly applicable to the list and examples below.

- Under Section 278 of the Environmental Protection Act,
  - (1) The administering authority may cancel or suspend an environmental authority if an event mentioned in subsection (2) has happened and the procedure under division 2 is followed.
  - (2) For subsection (1), the events are as follows—
    - (a) the environmental authority was issued because of a materially false or misleading certificate, declaration or representation, made either orally or in writing;
    - (b) financial assurance required under a condition of the environmental authority has not been given in the amount or in the form required under the notice given under section 296;
    - (ba) the administering authority has, under section 306, required the holder of the environmental authority to change the amount of financial assurance and the holder has not complied with the requirement;
    - (c) the administering authority has, under section 307(2)(b), directed the holder to replenish financial assurance for the environmental authority and the holder has not complied with the direction;
    - (d) the environmental authority holder is, after the giving of the environmental authority, convicted of an environmental offence;
    - (e) the environmental authority holder's registration as a suitable operator is cancelled or suspended, or is proposed to be cancelled or suspended, under chapter 5A, part 4, division 2;
    - (f) the holder has been given an annual notice, audit notice or surrender notice and the notice has not been complied with;
    - (g) if an SDA approval under the State Development Act is necessary under that Act for carrying out an environmentally relevant activity for the authority—the approval lapses or otherwise ends, or the Coordinator-General refuses to give the approval;
    - (h) if the authority is for a prescribed ERA—a development application for any necessary development permit for a material change of use of premises relating to the prescribed ERA lapses or is refused or withdrawn;
    - (i) if the authority is for a resource activity—a relevant tenure for the authority has not been granted under resource legislation.
- Under section 480 of the EP Act, it is an offence to give the administering authority or an authorised person a document containing information that is knowingly false, misleading or incomplete in a material particular. (e.g. the EIS)



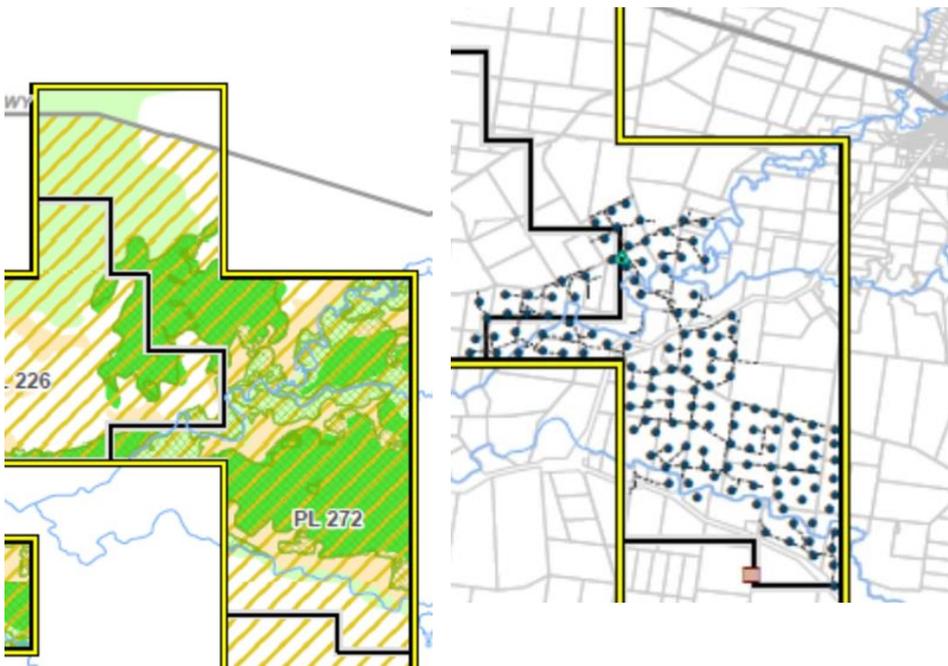
- Under section 437 of the EP Act, a person must not unlawfully cause environmental harm. (e.g. contamination of waters)
  - Under section 438 of the EP Act, a person must not unlawfully cause material environmental harm. (e.g. release of raw water onto farmers land)
  - Under section 484 of the EP Act, a person who attempts to commit an offence against the EP Act, commits an offence. The Criminal Code, section 4, applies.
1. In the interests of protecting Priority Agricultural Land and the safety and health of the residents of Petroleum Lease (PL) 272 (see image below), which is in clear and present risk of harm, it is requested that EA EPPG00968013 is urgently cancelled as per the Environmental Protection Act.

This is the only reasonable response to the thoroughly inaccurate EIS, poorly considered and approved EA and entirely damaging means through with Origin Energy have and continue to carry out their activities, and the entirely absent way in which the EA and associated requirements have been administered by the EHP and NRM.

**Extract from APLNG Plan of Operations 2015**

**First Image: PL272 showing PAL, QAL, SCL,**

**Second Image: PL272 showing proximity to Chinchilla Town, and drilling program for 2015**



2. Please advise on your government's response to the fact that Origin APLNG EIS was not advertised in the Chinchilla News Paper, the paper that would have advised those who were most at risk and to be effected and given them an opportunity to review and identify the failures of the document. Why was this not done as expressly required in the protocol? This is the first indication that this EA and the PL272 have been undertaken improperly and cause for investigation.



3. Please investigate and advise the response your government will take on the unlawful granting of the environmental authority without information on environmental values such as baseline studies on water, atmospheric, light, noise, dust and the impact of CSG activities on same. Origin are moving into this PL272 with no baselines that will inform agricultural activities of the impact of their activities on:
  - a. the water the people depend on including over land flow to dams and creeks, the dams and creeks in the area, and underground water;
  - b. the water, ground, crop, fodder and atmospheric impact on grazing animals farmed for human consumption;
  - c. the atmospheric impact on roofs and tanks and the water for human consumption  
This leaves those agricultural businesses and families in the same situation as others before us, that is with no data, no comeback and the potential spiral to ruin of the agricultural industry in the area.
  
4. Please investigate and advise the response your government will take on the unlawful granting of environmental authority without location information (i.e. mapping of infrastructure. Origin have moved into PL272 without any information regarding the location of settling ponds, High Point vents, Low Point Drains, compressor stations, well locations. Infact when I asked the DEHP regarding the Origin Plan of Operations for 2015 and its lack of data I was advised it was not necessary. How can any reasonable assessment or ultimately accountability be undertaken without even basic information.

In addition to this, the community in Hopeland have repeatedly asked Origin to consult on such matters and have been simply ignored.

5. Please investigate and advise the response your government will take on the issue that the EA lacks enforceable and meaningful limits on contaminates of environmental and health concern and also indicates this EA must be cancelled in the name of public safety. Prior to any further issue of EAs this issue must be amended.
  
6. Please investigate and advise the response your government will take on the issue of conduct and compensation agreements being unenforceable from the individual's perspective and gives the companies an unfair advantage over the community and individuals in establishing fair terms of engagement.

**Examples and listing of occurrences to inform the above questions for your consideration and follow up.**

2011 – Current – Illness and Contamination



- Specific and anecdotal evidence being gathered that areas of high CSG activity (eg Tara and Wieambilla) there are serious health effects being suffered by people and animals. Water tests are showing significant contamination of CSG related chemicals
- These communities are next to PL272 and PL272 is next on the agenda with none of these concerns addressed adequately
- AGL – Gloucester NSW – evidence these practices contaminate water and fail in ‘self regulation’ mode
- A Request for baseline testing from EHP to ensure safety of our water in creeks and dams and tanks, no answer received.
- Contamination incident of at least 5000lt of raw CSG water from a High Point Vent has been treated with at least incompetence. Soil samples were taken after almost 2 weeks after the incident was reported and after 4 inches of rain.
- This incident was repeated 20/2/15 (see your emails from me re advise of this incident and ongoing lack of competence in addressing the incident)
- The operational intention of high point vents intrinsically permits the release of contaminating raw CSG water to the farmers’ property and releasing of unquantified and unqualified gas into the farmers’ immediate atmosphere.  
I personally have measured emissions from high point vents owned by QGC and Origin in the last week to be 82%, 66%, 42%, 35% by volume in air (in some cases just 80 meters from a residence and metres from a road). The health and safety implications of animals or humans are not considered or addressed in any aspect of the authorisation of their activities, nor are they expressly explained, discussed or informed in the EA or Conduct and Compensation Agreements the Farmers are required to sign.
- The EA changes innumerable times (to the detriment of the individual living with it) during the life of the CCA again making the CCA almost impossible to hold the company to.

October 2013 – PL272 was granted to Origin Energy.

- This petroleum lease (PL272) is unique in the significant amount of Priority agricultural land, strategic cropping land and grade A & B & C agricultural land that it contains.
- At the same time the Regional Planning Interests Act and regulations was being developed and was commenced in June 2014.
- At the same time the Regional Planning documents for the Chinchilla, Western Downs and Queensland also identify the specific area identified by PL272 as essential agricultural land that must have the first priority.
- This PL should never have been granted, and the conditions on which it was granted was never truly representative of the importance of the area to agriculture.

Orana GPF on PL 272 was constructed with no consultation with the community, and therefore no opportunity for baseline testing or for resistance to the concept or buy in from these stakeholders.



- There are property owners who are identified in Origin Energy's own documentation as "Sensitive Receptors), who have had no consultation, or testing, baseline or otherwise. These individuals are suffering from noise, vibration, light and atmospheric impacts that have been reported to Origin and EHP with no satisfactory response.

August 2014 – concerns raised through an email with Origin Energy, Minister Cripps, Minister McVeigh, Minister Seeney, Premier Newman and local council re relevance of Origins EIS and EA to PL 272.

- Identified the irreversible damage that will be done to PAL/GQAL
- Identified the complete lack of consultation as per the EIS and EA
- Identified the complete failure of
  - Origin APLNG AIS, TOR, and EIS 2010;
  - in the Coordinator General's Report on the EIS 2010;
  - in the Coordinator General's Report – Updated 2013
  - the APLNG EA: EPPG00968013, granted 6 June 2014;to truly consider or reflect the specific needs of this community or PAL / GQAL
- No response was received

September 2014 – Our community group reach out to Origin for consultation

- Origin Energy failed to undertake any meaningful consultation, or communication with community group

October 2014 – Community Group meet with Minister McVeigh to plead for support in protecting the agricultural land in PL272

- He said he neither would nor could help us.
- LNP remove rights for people to object to projects

November 2014 and February 2015– the same Private Stock and Domestic Bore explodes gas and water into the air directly due to CSG activities in the Walloon Coal Measures. The CSG compliance group and Origin were asked for information and consultation with the community. No response was received.

- Multiple private stock and domestic bores are producing gas instead of water as a direct result of CSG activities in the Walloons Coal Measures. I personally measured 20% methane by volume in one water bore recently. This is described as unsafe by Origin in their Make Good documentation. How does this correlate to between 35% and 82% by volume Methane in High point vents?
- DNRM, Minister Cripps assures public a report will be undertaken, when asked for a report on the incident, told unlikely there will be a report and if there is, unlikely it will be public.
- Make Good agreements are devised and attempted to remediate an impact that is not expressly admitted to or discussed with the public at large. The legislation regarding Make



Good is inadequate to address the wholesale loss of vital water resources for not this generation but generations ahead.

December 2014 – Origin Energy submit the Plan of Operations for 2015 which is almost entirely concerned with drilling in PL272.

- The description Origin provided of the land was completely inaccurate and not representative of the area.
- The EHP were provided feedback regarding this and the community group were advised that it was not relevant.

October–December 2014 – Multiple Breaches

- Multiple breaches of Origin Energy' EA were identified and communication undertaken with the EHP and NRM.
- These breaches were either ignored, or when pursued, inadequate responses based on Origin's inadequate response to EHP and NRM were provided.
- When further requests for action based on breaches were requested, no information has been forthcoming.

October – January 2015 – Mineral and Energy Resources Common Provisions Act

- This legislation attempts to enact perilous and dangerous provisions in favour of the CSG companies and to the detriment of agriculture and the basic rights of Queenslanders.
- The perilous legislation includes at least conflicting water allocation and entitlements, restricting legal representation for individuals when negotiating CCAs, allowing 200m distance from residences to CSG infrastructure which ensures the companies will never be able to meet their EA objectives and ensuring direct impact on health and safety of residents.
- This legislation and the raft of other legislation associated must not be enacted and must be reviewed in line with the multiple submissions made to refute it.
- Conduct and Compensation agreements are unfair and biased toward the Industry, and provides inadequate information for the individuals required to sign it relating to the realities of what they will have to live with.
- The requirement for Companies to pay for legal costs in negotiating a CCA are intrinsically weighted in the favour of the companies and put individuals at financial risk if they later in the negotiation (the only way to gain details to form decisions re the CCA) determine that they are not satisfied the activities can be carried out safely on their property and deny the access.

January 2015 – Anecdotal evidence of unconscionable conduct by Origin by suggesting to resistant farmers in PL272 that if they do not allow access then drilling will commence under their property without the need for consultation or compensation but with risk of damage and loss.



January 2015 – QGC drilled a ‘hole’ (yet to be positively determined what type of hole), 600 m from residence. That residence’s bore at the same time started blowing large amounts of methane and hydrogen sulphide. His stock (pigs) started to waste and needed to be euthanized. The CSG compliance group and QGC were immediately engaged to resolve the problem. The Landholder has had nothing but incompetence from the CSG Compliance Group in handling his complaint, and this is still continuing a month later. With simple questions to the group responsible for bores (be the stock and domestic or gas) like – “what has happened to my bore?”, “What is this doing to our health if we are showering in it and our chooks that are still alive and laying eggs are drinking it, and our vegetables that are still alive are being watered with it?”

February 2015 – EA EPPG00968013 dangerous Amendments made while in caretaker government mode

- To remove the requirement to sample groundwater prior to purging
- To authorise treated sewage effluent for use as dust suppression or during construction activities;
- To remove the clearing width restrictions for access tracks and dual carriageway roads in remnant No Concern at Present Regional Ecosystems;
- To remove conditions related to the use of coal seam gas water for dust suppression

Finally, almost all of the issues listed here have been sent to, and detailed at the time of occurrence to the previous State Ministers, State Departments, Mayor (who is also a CSG Gas Commissioner) and Local Member. And yet, not one meaningful written response has been received (only a few generic, “not me, pass the buck, too hard” hard copy letters from staffers).

**Any Government that was truly committed to valuing, protecting, sustaining and growing the agriculture industry in Queensland by providing certainty for producers in strategic agricultural areas would see cancelling PL 272 and in fact the EA as the only reasonable move. The past 10 years have seen decisions made based on questionable objectives. These decisions are poised to see the destruction of land that is the top 3 % of the very best cropping land in Queensland. These decisions have already caused unconscionable harm to the land, homes on freehold, fee simple title, and people, including children. Those decisions have created CSG refugees in our own towns and communities.**

In righting the litany of wrongs of the previous governments it is incumbent on this government to at least halt further activity until reasonable and honest assessment can be undertaken.

Respectfully and in anticipation

Shay Dougall

On behalf of Hopeland Community Sustainability Group (HSCG)

Private and Confidential – Hopeland Community Sustainability Group