

The Law & Reality of the Coal Seam Gas Industry in NSW

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You've all seen the signs at the side of the road, Stop Coal Seam Gas, so is the Sun rising or setting on the Coal Seam Gas industry. Well, I'm not quite sure yet, but I know what the problem is. The public don't trust gas companies and the government to protect the environment. And the problem isn't just here; it's worldwide and getting worse. So I like to tell people my research is about sustainable development, delivering better environmental outcomes, and public engagement.

When I talk to gas companies they think I'm a greenie, when I talk to farmers and community groups they think I'm a gas company man. I just can't win, but I'd rather think of myself as an aggressive fence sitter....., happy to argue for and against for both sides.

The Coal Seam Gas industry has received some pretty bad press lately, the gas company's seem arrogant and the communities seem determined to stop every new development. But how can these two groups be so far away from the fence? I believe the answer lies in the legal process of environmental impact assessment and public engagement.

The NSW Land & Environment Court has defined the legality of an Environmental Impact Statement, as one that is comprehensive in the treatment of the subject matter (not bamboozling), objective (not biased by the consultants towards their employer), and one that alerts decision makers and the public to the effects on the environment and the consequences to the community in carrying out the activity. And a smart gas company would also point out how they would manage any impacts on the environment.

But there is no incentive for gas companies to remove the fence and provide the government regulator with anything other than a metre thick of paper that is used to bamboozle the public and indemnify the government. The whole process seems so ineffective in delivering

good environmental outcomes, and goes no way in convincing the sceptic public that the risks are under control and that Coal Seam Gas can be a sustainable development.

My research through a series of case studies, questionnaires and some very very long chats with farmers and community groups suggests that gas companies are OK with the current licensing and development legislation, and they all genuinely believe they are good environmental citizens. But farmers and community groups feel the whole process just by-passes them, and that their voices are never heard, and there is no regard for the environment; all that counts is royalties to government and big profits for gas companies.

My research is delivering a better all-inclusive process for the approval and development of the Coal Seam Gas industry, providing effective environmental impact assessment and ensuring that communities are part of the process. There doesn't need to be a trade-off between the economy and the environment, my research puts them both on the same side of the fence.