

Eastern Star Gas Limited/Energy generation and supply (non-renewable)/Pipeline extends 285-294 km between Wellington and Narrabri/NSW/Narrabri to Wellington gas transmission pipeline

Ref -2011/5613

Dear Sir/Madam, I wish to submit the following matters for consideration and to express our family's concern over the proposed Eastern Star Gas pipeline from Narrabri to Wellington.

I would like to bring to your attention some aspects of the proposal which should be assessed under the EPBC Act and affect our family and other landholders along the designated route options.

The Liverpool Plains and in particular the Cox's Creek Valley are of National significance and a cursory literature search will demonstrate it is one of the most studied land management and natural resource areas in this Nation[e.g Koalas].

The nature of lands along much of the proposed route is floodplains of less than 2% slope, dissected by creeks and flood channels. The soils are mainly vertosols, reactive black earths with high clay contents and very high erodibility. The subject soils are Land Capability Class II and Land Suitability Class I. The subject lands are principally used for arable food and fibre crop production and the proposed pipeline route threatens existing investment in water licences and irrigation, controlled traffic farming including GPS controlled equipment and farm works layout, to mention a few of the many potential costs, risks and inconveniences to our farm business and lifestyle.

It is obvious that the proponents have not applied to their proposal the Natural resource laws and principles that existing landholders have applied to them by the Namoi CMA Catchment Action Plan [statutory plan approved by the State Minister in 2007], its BMP's, and the Upper Cox's Creek Floodplain Management Plan, gazetted in 2005 under Part 8 of the NSW Water Act 1912.

Additionally there are many published works relating to the morphology, fragility and degradation threats on this floodplain and its riverine environment that would amply inform the applicant of the unmanageable risk and lack of merit relating to any pipeline route through this valley. The construction of such, and ongoing ground ROW easement access would be prime examples of significant and predictable threats to this environment.

In summary the BMP's for these black-soil floodplains proscribes conservation; sustainability; efficiency of farming; precision agriculture; improvement of soil structure, fertility and biology; spreading flood flows; prevention of soil erosion; management of pest plants and animals; planning; and land uses being socially acceptable.

There are many deficiencies, errors and omissions in the proponents application 2011/5613, but rather than rewrite the complete document or deconstruct it I will confine my comments to the key points as we see it.

On P 6 of 49 the proponents state-

“The precise pipeline alignment is yet to be determined. A number of issues need to be addressed in

- *Selecting the final alignment including a need to:*
- *Minimise impacts to areas of environmental sensitivity and significance;*
- *Avoid sites of cultural sensitivity and significance;*
- *Select an alignment that would minimise community or landholder concerns;*
- *Encourage the principle of sharing common infrastructure corridors with existing infrastructure;*
and
- *Minimise road, rail and watercourse crossings.*

The final pipeline alignment will be selected and further refined following detailed analysis of these constraints and additional, more detailed consultation with regulators, landowners, the community and other stakeholders.”

The applicants outline their criteria for alignment selection and correctly recognise that they do not have all the answers to select the most suitable alignment.

We contend from our 40 years experience that the most suitable pipeline route to meet the above criteria is along the Newell Highway via Coonabarabran, then south potentially via Coolah to Wellington.

On Page 3 of 49 the proponents state -

“Following construction, the Right Of Way will be rehabilitated back to its prior condition or released back to the landholder for reinstatement as productive land. The extent to which the ROW or easement is maintained will be in accordance with relevant sections of AS2885 which generally permits immediate reversion to prior land use although also requires the ongoing management of vegetation whose roots may damage the anticorrosion coating of the pipeline from within the vicinity of the pipeline. Signage marking the location of the pipeline is placed along the alignment in accordance with the standard.”

This is a good example of the proponents serial failure throughout their proposal to recognize the critical and inextricable link between this Cox’s creek floodplain alluvium and vigorous, healthy native and exotic plant species to the future health of the landscape and our environment.

By the proponents own admission the root systems of such plants will damage the pipeline coating. They fail to understand the effect destruction of these plants and therefore the root systems that bind the soil particles [by their herbicides/vehicle inspections/ sterilants] on up to 40m of ROW and that their action will serve as a direct erosion point.

The then foreseeable erodibility likely on this self-mulching soil type artificially denuded of vegetation has the capacity in a significant flood event to undermine the pipeline in a matter of hours rather than days.

The ROW if husbanded similarly to other existing pipeline ROW in this state will also harbour pest fauna and flora damaging our valley’s commercial food and fibre production .

The standard for signage, apart from being unsightly and inconvenient , will significantly disrupt the commercial viability, efficiency and scale of food and fibre production by interfering with GPS tracking of large farm equipment on its tramlines.

There is no reference in S3 .1 from the proponents ESG to our significant, healthy and now apparently threatened Koala population!

It is of serious concern that the proponent seeks approval under the EPBC, yet admits and submits on Page 15 of 49 that –

“The potential for impacts to threatened species and ecological communities has been identified in relation to the proposed pipeline. It is intended that consideration of the adequacy of flora and fauna studies carried out to date and a more detailed analysis of impacts to listed matters along each alignment option be undertaken through the detailed planning phase.

Until such information is known and the extent of potential impacts determined, a precautionary assessment would be that there is potential for significant impact to occur.”

By the proponents own admission the S3 survey and assessment is not adequate, therefore this application is deficient and on P14 of 49 admit the limited nature of their actions in that -

“Flora and fauna surveys undertaken by Alison Hunt and Associates during November 2010 along accessible areas of alignment options 1, 2 and 3.”

The reason options 1, 2 and 3 have very limited access for survey is because during November 2010 these routes were flooding to various depths [typically 40-200cm] and the black, sticky clay soils and alluvium are impassable to all vehicle types. This critical deficiency in the ESG consultants survey work would be equally confronting and ongoing for all ground work declared in the proponents commitment on P9 of 49 –

“General pipeline operations involve routine, periodic operation and maintenance programs including ground and aerial patrols, repair of equipment, cleaning of the pipeline (pigging), monitoring for corrosion and remediation and ongoing maintenance including along the right of way or access roads....ground inspections include detection of erosion, monitoring of reinstatement success and detection and control of weed species”.

Its simple really: wet black soil equals nil access for extended periods.

Various references are made to the proponents track record and suitability as an applicant, mainly in S6 starting P35 of 49.

Our only experience with ESG thus far, in contrast to their stated intentions in S6, relates to the unprofessional and apparent non-compliant approach to myself by ESG contractor CNC PROJECT MANAGEMENT. Their facilitator arrived at my front door on-farm at 8.10 am on Saturday 10th of July 2010 and opened by saying “Good news – I am not from the coal mines”. The facilitator then proceeded to tell me that he just needed a moment of my time and a couple of things signed which included an access agreement and waiver.

I informed him that it would be at least 6 weeks before I could meet with him due to leave and health issues and my need to seek advice. He was most insistent that we meet promptly which I did on 14th of July 2010. I did not sign any documents and still await answers to my questions. It seems a very poor process compounded by the absence of any courtesy preliminary phone call or public notice in our local paper regarding the proposal.

I have written because a significant and more direct variation to the proposed route must be pursued along existing public infrastructure, the Newell Highway, then south to Wellington either directly or via Coolah. I look forward to your response on these issues.

Yours faithfully,

27/4/2011

Xavier Martin