

31<sup>st</sup> December, 2012.

The Hon Chris Hartcher,  
Minister for Resources and Energy,  
Level 37, Governor Macquarie Tower,  
1 Farrer Place,  
SYDNEY NSW 2000

[office@hartcher.minister.nsw.gov.au](mailto:office@hartcher.minister.nsw.gov.au)

Dear Minister,

RE: PEL 4 – Agricultural Impact Statement by AGL.

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On 5<sup>th</sup> December, 2012, approval was given to AGL Upstream Investments Limited (AGL) to conduct Milbrodale core hole drilling (Ref: OUT12/20756).

In support of its application for approval, AGL provided an Agricultural Impact Statement dated 4<sup>th</sup> October, 2012.

Unfortunately Agricultural Impact Statements and Reviews of Environmental Factors are not made available for public scrutiny, only released after approval has been given.

A perusal of the Agricultural Impact Statement (AIS) in this particular case reveals that is severely lacking. There is no point in having an AIS if it is not thorough.

What this particular AIS fails to address is the fact that immediately adjacent to the proposed core hole drilling (500 metres away) is a certified organic vineyard comprising of approximately 32 hectares. This vineyard is currently the most highly awarded and rated organic vineyard in the Hunter Valley and one of the most awarded and rated organic vineyards in the whole of Australia. This includes an award winning shiraz block 500 metres from the proposed core hole drilling site.

The General Manager of Upstream Gas for AGL said that he didn't even know the vineyard was there.

Clearly an AIS should address such important issues.

We request that the approval be stayed, and that AGL be advised that it cannot commence core hole drilling, until the AIS addresses all agricultural impacts, rather than those it chooses to address and omitting those it wishes to ignore.

It is our submission that the AIS, inter alia, should address:

1. In scientific and geological detail, the geological fault in the Milbrodale/Thompsons/Putty Road area, and its stability.
2. It should also address the impact on the fault or any other geology of the area, if any, of the earthquake which occurred on 29<sup>th</sup> April, 2012 registering 2.8 on the Richter scale with its epicentre at Putty Road and Thompsons Road. It is significant to note that the earthquake was only a few hundred

Committee:

Eden Anthony, Commodore Chris Elsmore RAN Rtd., Stewart Ewen OAM, Adrian Garton, Graeme Gibson Dip. Law, Roger Goldfinch, Tom Jackson, Elizabeth Johnstone, Robert Kennedy; Graeme O'Brien BA, M Ed Stud., Richard Owens OAM, Alan Stevens, George Tlaskal, Hugh Upward.

- metres from the surface location of the Bulga-Inlet fault line, and was indicative of active movement of the fractures and rifts associated with the fault line. Why these matters are not addressed is a mystery. They are of the utmost importance and must be addressed before any drilling is commenced.
3. It should also examine whether or not this earthquake was occasioned by nearby coal mining. The geological reason for the earthquake should be ascertained.
  4. The AIS, and the REF, should specifically address the neighbour consultation, including the impact of the core hole drilling activity on the Milbrodale school, the residents in the area and the other agricultural activities of significance in the area. It appears that the AIS and REF state that there is no built-up community, which is incorrect, and certainly does not mention the Milbrodale Public School across the road from the proposed drilling site.
  5. It must be required to address the results of geological surveys of the substrata and its angle of inclination, along with subterranean mappings of the primary geological features of the Bulga-Inlet fault line fractures in the Thompson, Putty and Milbrodale Road areas, along with mappings of the secondary fractures and rifts. This is a must when considering the likelihood of the loss of fresh water aquifers. It is also most significant in that AGL announced at a public meeting that there would be no drilling in the Milbrodale valley due to the Bulga-Inlet fault line.  
It is necessary to ascertain what event has changed the thinking of AGL to, firstly, decide to in fact drill in Milbrodale, secondly to omit detail of the fault line from the REF and the AIS, and thirdly why AGL think it is safe now when it didn't think it was safe at the time it held the public meeting.
  6. AGL has stated that it "can safely drill within 200 metres of the Bulga-Inlet fault line", but gives no support to this statement. AGL should be required to provide geological surveys and reports to substantiate this. The scientific evidence should also state whether the 200 metre measurement is taken from the estimated position of the primary fracture or from secondary fractures and rifts.
  7. Surely it is incumbent on AGL to provide geological and hydrogeological studies proving that there will be no negative impact on the aquifers and the water table from the core drilling in such close proximity to the known geological faults in the Milbrodale, Putty Road and Thompsons Road area.
  8. AGL should be required to provide a list of all chemicals and foreign material to be used in the core hole drilling. This is a must if the organic vineyard is to be sure of retaining its certified organic status.
  9. Scientific evidence should also be provided to show how AGL will mitigate and reduce the potential harmful impact of core hole drilling over such an unstable, known geological fault.
  10. The exact location of each core hole and its depth must be provided so that the organic vineyard can be sure of its continued certification. There must be no fracking or horizontal drilling now or in the future adjacent to or under the organic vineyard. Any change to the certification of that vineyard brought about by the activities of AGL would surely give rise to a cause of action by the owner of the impacted vineyard against both AGL and the approving authority.
  11. Full detail of how dust, light and noise is to be monitored must also be provided.

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Please treat this matter urgently.

Yours faithfully,

Stewart Ewen OAM.  
Chair.  
Hunter Valley Protection Alliance Inc.

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