

Aerial Agricultural Association of Australia Coal Seam Gas Policy



October 2011

Introduction

Coal seam gas developments, their supporting infrastructure including well heads and powerlines and the plumes from venting and flaring of gas are a direct threat to aviation safety – and especially aerial application. They also pose an economic threat to the industry where the costs of CSG development—including those of compensation for loss of income—are externalized onto other sectors such as aerial application.

AAAA has developed this policy so as to inform regulators, asset developers and operators alike of the need for action on their part to fulfill their duty of care to Australia’s aerial applicators.

AAAA CSG Policy

As a result of the overwhelming safety and economic impact of CSG and supporting infrastructure on the sector, AAAA **opposes all CSG developments in areas of agricultural production or elevated bushfire risk.**

While it is not AAAA policy to provide specific comment on particular development proposals due to resource limitations, AAAA notes that CSG can have far-reaching footprints that can remove significant amounts of land from treatment for a considerable distance from the CSG boundary.

Operational implications of each development will vary enormously depending on the site, , orientation of affected paddocks relative to the gas heads, arrangement of supporting infrastructure and especially powerlines, the type of aerial application taking place, the aircraft used, the position of any airstrip relative to the well head and a range of other variables.

However, it is clearly unacceptable that one industry can impose significant safety threats on another, longer established industry with impunity.

AAAA believes that:

- All CSG infrastructure, if approved must be clearly marked to assist pilots to see them
- Plumes from CSG developments should be strictly limited to times when aerial application is not taking place in the area.

- All CSG wells and associated infrastructure must be required to be removed when no longer in use. A mandatory bond should be levied on all developments to ensure the site can be remediated.

Recommendations to Government

Moratorium & National Policy

AAAA recommends to all Governments the establishment of a moratorium on CSG developments until a national COAG policy on CSG is established that requires the following to be considered before approval:

- Competing land uses for the particular site.
- Priority for existing long-term land-uses.
- Economic and safety impacts on contracting industries such as aerial application, including the broader implications for thresholds of sustainability for contractors.
- Independent life cycle analysis of CSG and their overall environmental impact.
- Impact on aviation safety.
- Impact on bushfire preparedness and aerial firefighting.
- Impact on visual pollution / amenity/ tourism.
- Other sources of sustainable energy.

Transparency

AAAA recommends that any ‘special’ or ‘fast-track’ planning processes established for CSG developments be removed. All CSG developments should be subject to the full planning processes and community consultation in each State and Territory, including appeal of decisions.

Governments should require public disclosure on a register of payments to landholders made before approval of a CSG development. This will allow other landholders and contractors to be aware of developments.

Aviation Safety

AAAA recommends that government provide better information to all CSG developers on their responsibilities for aviation safety, including raising the duty of care requirements established under *Sheather v Country Energy* (NSW Court of Appeals) for owners of assets that pose a known threat to aviation activities to provide for suitable marking and other safety initiatives.

The Commonwealth should establish a head of power to consider and regulate CSG developments to protect aviation safety. This should include mandatory marking and notification of CSG infrastructure, the ability to direct plume times to reduce the threat to low-level aviation, and the power to veto proposed developments where they interfere with aviation safety.

CASA should work with Airservices Australia and any other relevant agencies to ensure that completed CSG are included on suitable aviation mapping including WAC charts and topographic maps.

CASA should develop a national low-level aviation hazards web database that is accessible in real time by all low-level aviation pilots and which captures all CSG developments. The database should also capture other tall structures such as wind monitoring towers, radio masts etc.

Background

CASA does not have a clear head of power or a pathway for CSG developers to ensure the risks their developments are posing are appropriately managed so as to protect legitimate activities of low-level aviation operators.

There are two quite distinct issues arising from CSG developments that affect aerial application:

- safety of the aircraft and pilot and
- economic impact on aerial applicators.

Safety Impacts

AAAA's view is that the case of *Sheather v Country Energy* (NSW Court of Appeals) clearly established that anyone with infrastructure posing a threat to aviation must consider the risks that infrastructure poses to aviation safety and respond appropriately through marking or other measures to safeguard aviation operations.

This precedent is of critical relevance to CSG developers although not apparently widely known to them or acted upon.

In particular, powerlines associated with CSG developments pose a significant hazard to aerial applicators.

Safety initiatives for developers can include detailed mapping of these powerlines, the provision of this mapping to all aerial applicators, and the marking of powerlines.

The issue of plume management is also critical to aviation safety and each development must have a strategy for ensuring the plumes and flares will not affect aviation safety.

Economic Impacts

Safety is not the only consideration that is imposing additional risk and consequences on the aerial application industry.

The placement of CSG developments in areas of highly productive agricultural land will lead to reductions in treatment areas of aerial application companies with no compensation for this externalization of costs by developers.

For example, placement of a CSG well head or powerline may affect flight lines and application height or even whether the application can be conducted at all - leading directly to either an increase in cost or a reduction in income - and sometimes both - for aerial application operators.

As CSG developments increase in number and scale of footprints, the threshold of non-viability of aerial application in an area may be reached where it is simply not economic to base an aircraft there. In a highly seasonal industry such as aerial application, operations may already be close to this threshold and CSG footprints may compromise the availability of a critical service.

The need to manage spray applications to ensure they are safe may mean that pest outbreaks such as locusts may not be able to be effectively controlled. CSG may create significant gaps in large scale treatment plans—leading to a breakdown of an overall campaign against locusts, cereal rust, noxious weeds or other pests with massive economic implications for farmers and the economy.

In particular, AAAA is concerned that not enough consideration is being given through the State planning approval processes to the impacts of CSG on productive agricultural land and the

aerial application industry, remembering that it may not only be the land footprint where the CSG is sited, but also land surrounding that for some kilometers where aircraft may have to maneuver to conduct aerial application.

At the very least, CSG developers should be required to pay compensation to aerial applicators where it can be reasonably established that there will be an economic impact imposed on the aerial application company by the CSG developer.

Operational Impacts

The following potential impacts on aerial application should be considered by all CSG developers:

- positioning of CSG developments may affect local aerial application operations, depending on the particular site.
- impacts could vary from affecting flight lines to treatment height and accuracy, maneuvering areas and possibly take-off and landing splays if an airfield is nearby (see for example, CASA CAAP 92-1 for agricultural airstrips – www.casa.gov.au – search for CAAP 92-1.)
- it may not be the land or farm that the CSG development is to be situated on that will be affected. Neighbouring farms, especially any with borders close to the CSG site, may suffer significant impacts by limits imposed on the maneuvering areas of aerial application aircraft.
- a key impact may not be the CSG wells themselves, but the positioning of any powerline that would lead to/from the development. Any sections of above ground cable should be adequately marked, regardless of their height or position.
- economic impacts could include increased costs due to longer flight times required to maneuver heavily laden aircraft around CSG areas and powerlines, a loss of accuracy due to being required to fly higher for safety reasons, an increase in liability due to the reduction in accuracy, or the complete loss of application jobs due to the landholder not wanting the area covered by CSG footprints to be treated.

AAAA Activities to date

AAAA has done a lot of work to make it easier to mark guy wires and powerlines through amendment of the national standard on marking of wires so as to use a marker developed by Country Energy (NSW) with the cooperation of AAAA.

The relevant Australian Standard is AS 3891.

There is now little practical reason why powerlines associated with CSG developments should not to be clearly marked.

Comprehensive safeguards for CSG developments must include a mandatory national system of communication of the position of all CSG developments and their supporting infrastructure and the inclusion of this on a national database accessible by low level pilots.

FURTHER INFORMATION

If you would like more information on the vital and responsible role the aerial application industry plays:

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