

Court allows SANTOS to pillage the Pilliga

The NSW Land and Environment Court yesterday gave a green light for Santos to operate its 'Leewood' coal seam gas (CSG) wastewater treatment facility near Narrabri and the world-renowned Pilliga State Forest in North-West NSW.

Community group People for the Plains – represented by public interest environmental lawyers EDO NSW – argued that the Leewood facility is unlawful because it did not go through the proper assessment process before being approved. The facility was approved in August 2015 by the NSW Department of Industry without an Environmental Impact Statement (EIS) being prepared and without the public being given a chance to comment.

However, the Land and Environment Court decided that the approval was valid, meaning that the facility can now begin operation. It is expected to treat up to 1.5 million litres of CSG wastewater every day.

'Our client is very disappointed by this decision,' said Sue Higginson, EDO NSW CEO/Principal Solicitor.

'People for the Plains was fighting for the community's right to have a say about the facility and to ensure a comprehensive assessment of its environmental impacts was conducted.'

'Our client and others in the local community are worried about the impacts the facility will have on the ecosystems of the Pilliga.'

'Such a large industrial waste treatment facility does not fit within the ordinary understanding of CSG exploration.'

'Developments of this scale normally require a rigorous assessment process, where the community is given the chance to have their voice heard.'

'This development is a significant addition to CSG activities in the area, and is one of a number of incremental CSG projects that represent not only a growing presence of the industry in this biodiverse region, but also a new threat to one of Australia's important natural environments.'

'The public exhibition of major developments is a key foundation of a well-functioning planning system.'

'It's a right that has been imbedded in Australia's environmental law since the '70s, for good reason: public participation brings about better planning decisions and ensures transparency and accountability.'

'Without this fundamental right, we'd be a much poorer nation.'

'This is a complex area of the law, and we'll be looking very closely at the judgment to explore our client's options for appeal.'