

## **Ka Nui! Enough!**

These meetings are about information sharing. These meetings are about listening to people who have directly experienced living beside oil and gas well sites in Taranaki. It is about getting information to the public which may be helpful when you or your families or friends have to consider the adverse effects of living beside oil and gas well sites yourselves.

This may be sooner than you think. A recent submission to New Zealand Petroleum and Minerals by New Plymouth District Council described this as “only the beginning (the sunrise) of the industry in New Zealand”. An information report tabled by the Director Community and Environmental Services at Stratford District Council stated over 140 wells were planned at 14 sites in the next 2-3 years in the Stratford District with one of these well sites being very close to Stratford urban area. The Director declared there was no need for public or iwi consultation as a result of the information in the report.

<http://www.newplymouthnz.com/NR/rdonlyres/9C72864C-33D5-4F5A-825C-7529C417776C/0/PolicyCommitteeagenda26February2013v2.pdf> (NPDC agenda, 26/2/2013)

<http://www.newplymouthnz.com/NR/rdonlyres/3B0357C4-5151-4782-B976-A64416C6CDD9/0/PolicyCommitteeminutes26February2013.pdf> (NPDC minutes, 26/2/2013)

<http://www.stratford.govt.nz/images/pdf/February%202013%20Policy%20%20Services%20Meeting.pdf>

(Oil Exploration Activities, 26/2/2013) pg.122

My name is Sarah Roberts. My family and I are **affected parties** to Cheal oil and gas field (TAG Oil) at Ngaere near Stratford. We had to fight the district council to be considered so.

Taranaki Regional Council refused to consider us affected even though their guidelines show we are.

Our family own a small dairy farm at Ngaere. There are four QEII covenants on the farm including a protected pohutukawa tree and one of the last remaining stands of titoki bush. My husband David's parents Bob and Norah Morrison placed the first covenant at the farm in 1988. We won an environmental award from Taranaki Regional Council in 2008.

We now have two large well sites and a production station close to our home and property to the north and the west. And as I stand here TAG Oil are at this moment planning to apply for consent for a further well site on the farm adjacent to us to the east. The only access to this well site will be down a small No Exit predominantly one lane road past our family home.

My husband and I with others have been raising awareness of the adverse and potentially harmful effects of the oil and gas industries in Taranaki and its imminent expansion. We have serious and significant concerns regarding regulating and monitoring by our councils of these industries and the impact of the contaminants on our water, land, and air. We have been advocating for more scrutiny of our councils and a moratorium on hydraulic fracturing until this is resolved.

The pro-oil and gas industry proponents cite economic development. What economic advantage is there in this? And whose economic advantage is it? It is short term. It is not sustainable. What about opportunity costs?

With the rise and rise of the oil and gas industry in Taranaki predicted and encouraged by central and local government it is inevitable decreasing rural and farm property prices will come, degraded rural amenities will follow, and high or no insurances for affected land owners beside these sites. Some of these issues were on the minds of the 80 plus Tikorangi residents who met to express their concerns. Oil and gas are competing with dairy and tourism for a piece of the economic pie. There is a tipping point.

The people who are presenting are not necessarily 'anti-frackers', they do not all describe themselves as 'environmental' or 'community activists', and they are not all completely against oil and gas. They are individuals speaking on behalf of themselves and their families who have had enough. Ka Nui! They have had enough of the councils telling them they are not affected parties even though dozens of trucks full of hazardous substances or hazardous wastes drive past their children, homes and communities every day. Ka Nui! They have had enough of the weeks and weeks of drilling noise, the vibrations in their houses, the bright lights from the flaring, and the smell in the air. Ka Nui! They have had enough of the oil and gas companies doing what they want because the councils let them.

The Parliamentary Commissioner for the Environment's interim report released in November 2012 does not give hydraulic fracturing the green light. The report is cautionary. Most

recently Dr Jan Wright said “we’re at such an early stage and we don’t really know what we are going to uncover”. She also stated her report is not a “ringing endorsement” of fracking (New Zealand Herald, 28 February 2013).

The Parliamentary Commissioner for the Environment will be taking a closer look at Taranaki. And it is no longer only about hydraulic fracturing. It is about drilling, constructing the well, fracking, production, flaring, the waste and the effects on the environment. Just as importantly, we believe it is also about the impact on the health and safety of the individuals, families, the schools and communities living and working beside these well sites. It is the about the social costs on these people and the opportunity costs to everyone.

We do not feel the councils and oil and gas companies have taken care of where they drill or frack. We do not feel the councils have been appropriately regulating and monitoring the effects of land use consents and discharging contaminants into water, land or air. We do not feel ‘a social licence to drill’ has been earned.

The first ‘affected party’ speaking tonight is Gaylene Kay.

Her and her husband’s property is immediately adjacent to Sidewinder well site and production station (TAG Oil) near Inglewood. Taranaki Regional Council amended the Sidewinder environmental monitoring report (July 2011) last year and TAG Oil received an infringement fine of \$750 (May 2012). There were problems at the site with a spill of drilling muds; bunding of hazardous substances; diesel spills; a concrete spill; and the discharge of contaminants over the consent levels.

It is disappointing to see Simon Bridges, newly appointed Minister of Energy and Resources finding time to visit oil and gas sites like Sidewinder reported in the Taranaki Daily News, in sharp contrast to Gaylene's issues, and he could not come to hear our concerns.

The second 'affected party' speaking tonight is Abbie Jury. Her and her husband's property is near to both Todd Energy Managhewa-C and Greymouth Petroleum Limited Kowhai-B well sites. There are new well sites currently in the process of being consented for. A number of residents who live close by were not considered affected parties by the companies or councils even though many of them were listed on the emergency hazard management plans.

I would like to introduce you to Gareth Hughes, Energy Spokesperson for the Green Party.

(Wednesday)

We have organised a number of public meetings over the last 18 months and have always invited members of parliament, and both central and local government representatives. Some have apologised, some have been unavailable, and some unwilling to attend. Gareth Hughes has regularly attended and is genuinely concerned about hydraulic fracturing, regulating and monitoring of the oil and gas industries, and the potentially adverse effects on our environment and our communities.

In the final section of this evening's presentation I would like to briefly share a few case studies of wells and well sites drilled across the province to highlight the concerning consenting, regulating and monitoring process of local councils; the most recent proposed expansion of oil and gas for Taranaki presented by New Zealand Petroleum and Minerals to

New Plymouth District Council; and advice for concerned Taranaki residents who are faced with the prospect of an oil and gas well site in their immediate neighbourhood.

The public may be unaware New Plymouth District Council and Taranaki regional Council have already granted non-notified land use and discharge consents to drill wells in the open space environment immediately adjacent to Ngamotu Beach and the harbour in 2005 and 2006 respectively. These consents are still current. Wells were drilled within 50m of Ngamotu Beach, within 240m of residential homes, close to a public road, and nearby restaurants and bars. According to the Hazardous Risk Assessment prepared by Transfield Worsley the public access Ngamotu Beach area is “affected in terms of fatality risk” from a well blow-out to 130m. The councils determined there were no affected parties and the public were not informed.

New Plymouth District Council and Taranaki Regional Council have already granted non-notified land use consents to both Todd Energy and Greymouth Petroleum Limited to drill immediately adjacent to the runway at New Plymouth Airport. Both companies drilled at the airport. The resource consent allowed a well site exceeding the Hazardous Facilities Effects Ratio, the traffic generation standards and the maximum height of a structure within the Airport Flight Path Surface 2 to be established breaching Civil Aviation Authority Rules. The councils determined there were no affected parties and the public were not informed.

At Cheal near Ngaere a land use consent was granted for interim and long term oil production and tankering from a single producing well in 1995. The application and Assessment of

Environmental Effects (AEE) was to both Taranaki Regional Council and Stratford District Council and publically notified in 1995. This is no longer the case.

From 2005 Stratford District Council allowed for the drilling of several more wells and the building of a production station from the original land-use consent for a single consenting well. In 2010 three wells were hydraulically fractured at Cheal without legal land-use consent even though the hazardous substances for this activity would have triggered the need for separate land use consent. It is illegal to drill wells and use, store and transport hazardous substances without consent.

In 2011 eighteen more wells were consented for. The Hazardous Facility Screening Procedure (HFSP) determined the effects ratio of the hazardous substances in the application was 120 times larger than the permitted level in a rural area. These are all immediately adjacent to our homes and properties, Ngaere School and State Highway 3. There have been no Taranaki Regional Council environmental monitoring reports for Cheal A or B written since 2008 and 2006 respectively even though the sites have been continuously drilled and hydraulically fractured since that time.

Shell Todd Oil Services applied to both Taranaki Regional Council and South Taranaki District Council separately to hydraulically fracture at several well sites at Kapuni in the last year. Different information was given to the two councils. South Taranaki District Council received an incomplete list of hazardous substances to be used including no reference to

radioactive materials. STDC are legally responsible to ensure the safe use, storage and transport of hazardous substances as well as waste is adhered to.

There are several contaminated sites being remediated at Kapuni. KA2 had several hundred tonnes of impacted soil and water removed. 100 tonnes of contaminated soil had to be taken to Wellington for disposal as it could not be dealt with in Taranaki. The documentation shows testing for and evidence of several heavy metals including barium, strontium and thallium; petroleum hydrocarbons; and PCBs. The latest Taranaki Regional Council environmental monitoring report for Kapuni states they could not complete their monitoring programme because of staffing issues.

Hydraulic fracturing has been occurring in all our districts without legal land use consent.

South Taranaki District Council District Plan (STDCP), Stratford District Council District Plan (SDCDP), and New Plymouth District Council District Plan (NPDCDP) all use Hazardous Facility Screening Procedures (HFSP) and have done for years. In all cases the use, storage and transport of hazardous materials used in hydraulic fracturing would have triggered the requirement for land use consent. South Taranaki District Council management staff agreed however stated what could a council do if the companies don't tell what they are doing? Taranaki Regional Council took legal advice and now requires discharge consent.

And there is more oil and gas coming.

On 26<sup>th</sup> February 2013 an item was presented to New Plymouth District Council Policy Committee Block Offer 2013- Developing NZ's Oil and Gas Resources. New Plymouth



District Council are requesting New Zealand Petroleum and Minerals division (NZP&M) to exclude land currently zoned Residential, Business and Open Space Environment; land to be confirmed Future Urban Development (FUD); and any land comprised in the New Plymouth Airport property. This was retrospectively endorsed by New Plymouth District Council as the submission had already been made earlier without councillors knowledge.

The total onshore area of the Block Offer proposal is 242 square kilometres (24,200 ha).

Approximately 150 sq kms is in South Taranaki and generally includes Oaonui, Opunake and Oeo and inland to Wiremu Road. According to NZP&M this includes the township of Opunake and Opunake Beach. The New Plymouth District is in two parts. The largest area incorporates the eastern portion of Bell Block urban area and extends south almost to Egmont Village. The second area is 12 sq kms in area and extends over rural land from Lower Norfolk Road south to Tariki Road south. It is not much consolation there is no Schedule 4 land or World Heritage Areas contained in the proposed areas.

We are appalled by the double standards. If it is so imperative for New Plymouth District Council to request removal of land from the Block Offer why is the same not offered to the rural communities. We have seen the consequences of the oil and gas companies already at Cheal (TAG Oil) near Stratford; Sidewinder (TAG Oil) near Inglewood; in Tikorangi with Todd Energy and Greymouth Petroleum; and at Kapuni (Shell Todd Oil Services) in South Taranaki where they are operating directly beside peoples' homes, properties and local community schools.

How can our families be protected.

1. SAY NO if your land is required by the oil and gas companies to drill and hydraulically fracture and produce on.

Landowners have the legal right to SAY NO.

There is no cost to the landowner.

The cost is met by the oil and gas companies.

If an owner fails or refuses to enter into an access arrangement the person seeking access must apply to the Chief Executive of the Ministry for Business, Innovation and Employment who in turn reports to the Minister of Energy.

They can serve notice on the owners and occupiers to encourage them to enter into an access agreement.

You can still SAY NO.

The Governor-General, on the advice of the Minister of Energy and the Minister for the Environment, must determine whether it is in the public interest to declare that an arbitrator may determine an access agreement.

The costs are borne by the people seeking access.

You can SAY NO in Taranaki.

2. If you are considered an affected party by Taranaki Regional Council and the district councils SAY NO to the oil and gas activity occurring near your home.

The costs of going to a hearing are borne by the person seeking approval.

An independent hearing commissioner will determine the rules around the activity, not the oil and gas companies or the councils.

The decisions reached are legally binding.

3. Ask your councils in writing to be considered an affected party and lobby them to inform you of oil and gas developments in your communities before they happen.
4. SAY NO to more oil and gas development until the Parliamentary Commissioner for the Environment releases her final report and the recommendations that are made are implemented.

I will close the information meeting with eight good reasons to lock the gate. These are just as relevant to people living in the rural communities as people living in urban centres and those living on lifestyle blocks.

At the back of the hall are copies of 'Oil and Gas in Taranaki The Legal Framework' a hand-out prepared by Environmental Defence Society to provide the public of Taranaki with an easily understandable document which outlines their rights in regard to these issues.

I would encourage all the people of Taranaki, the public, the councillors, and the council staff to contact the Parliamentary Commissioner for the Environment to share any issues you may have with oil and gas expansion. It can be treated confidentially if requested.