



QMDC's comments on *the Protection of Prime Agricultural Land and Other Land from Coal Seam Gas Mining Bill 2013*

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Submission To:

Agriculture, Resources and Environment Committee
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This submission is presented by the Chief Executive Officer, Geoff Penton, on behalf of the Queensland Murray-Darling Committee Inc. (QMDC). QMDC is a regional natural resource management (NRM) group that supports communities in the Queensland Murray-Darling Basin (QMDB) to sustainably manage their natural resources.

1.0 General comments

It is widely recognised that the health of the economy and social fabric of the Queensland Murray Darling Basin's people depends on the health of the natural resources. This goal is achievable through planning processes that constantly seek to improve on current policy and legislation. QMDC supports the purposes of the *Protection of Prime Agricultural Land and Other Land from Coal Seam Gas Mining Bill 2013* (the Bill) and recognises the Bill's beneficial nature with regards to both the current and projected impacts of CSG mining development in Queensland especially in regard to the impact on agriculture and local and regional natural resources and other assets readily identified in the Regional NRM Plans.

QMDC continues to argue that productive agricultural areas should not be exposed to the hazards of CSG mining contamination such as brine and salt. Connectivity issues and the risk that the extraction of coal seam gas water will lead to depletion of water quality and quantity in aquifers must be adequately legislated for.

In this region the identification of challenges associated with economic growth created by the “boom” industries require more in depth economic analysis in relation to potential impacts on natural resources, social infrastructure and local economies.



2.0 Specific comments

2.1 Clause 2 Purposes

QMDC supports these purposes.

2.2 Clause 3 How the purposes are achieved

Clause 3 (a) needs to be informed by the most up to date NRM information and land research to ensure land that should be protected is protected.

QMDC asserts that in order for Clause 3 (b) to be able to prohibit mining and associated activities in areas where no pre-existing approvals exist, the Bill in order to achieve its purposes must clearly identify with maps those areas of land where prohibition is to occur.

2.3 Clause 4 Act binds all persons

QMDC supports liability extending to the Commonwealth and other State governments.

2.4 Clause 7 Meaning of *CSG activity*

QMDC supports this definition.

2.5 Clause 8 Meaning of *protected land*

Communities within the QMDB have advocated consistently that the most productive land in the region needs to be separated from the marginal land and CSG activities should be banned on that productive land.

Determining and protecting priority agricultural land requires in QMDC's opinion simplifying the current Strategic Cropping Land assessment methodology. With less criteria, and clearer maps, the assessment process can be streamlined and result in better agricultural outcomes.

Removing the need for a trigger map, for example, will simplify the process, reduce costs and create certainty. Implement in its place a **SCL map**. In order to inform potential areas to include on such a SCL map, the natural resources and primary industries departments under many and varied department names have conducted a number of scientifically rich land resource assessments. There is a dated but scientifically rigorous report "Assessment of the agricultural and pastoral potential of Queensland", by EJ Weston, J Harbison, JK Leslie, KM Rosenthal and RJ Mayer. Agriculture Branch Technical Report No. 29, Queensland DPI, Brisbane (1981). This report includes maps of Queensland showing suitability for different agricultural purposes, albeit presented on the broad Australian Soils Atlas mapping units. There are 1455 units and each has been classified according to its cropping and pastoral potential. Land is classified as being well adapted or marginally adapted for permanent or rotational cropping (and for native pasture or sown pasture). This information is an invaluable resource that should be used to establish the **SCL map**.

Produced by: Geoff Penton & Kathie Fletcher, 13 September 2013
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This report and its associated maps delineate clearly the most productive, and therefore strategic, cropping and pastoral areas. It should be used as a 'starting position' for defining where mining and coal seam gas exploration leases should not be permitted. More detailed land resource assessments have been conducted in localised districts, and these data sets should be considered in the preparation of any SCL map. If areas of national parks can be encircled we should surely be able to encircle areas of agricultural land of national significance as well.

Errol Weston and Harbison have a number of other publications see also *Weston et al – 1975 AJAAS special edition - Condamine Maranoa Basin Evaluation of Resources* and CSIRO did a Land Use survey circa 1975 of this area. Most if not all the work has been done – just forgotten – the Department did a lot of good enduring work in the old days – why has it been forgotten?

If land is released for coal seam gas mining exploration and operational activities then the land classifications should be mapped and it should be shown from previous research that the land can be rehabilitated to its original productivity after the activities have been completed. There is a very poor industry record in this regard.

In terms of assessment processes, there is no need to re-invent a new process. There are well-established scientifically sound land resource assessment procedures and these established procedures should be utilized. The proposed 'dumbed-down, simplistic' approach developed around adherence to the 9 nominated criteria is not supported when perfectly good established procedures developed by eminent scientists over generations are available. These established procedures should NOT be banished.

Clause 8 could then be informed by mapping which includes the above reports and more current scientific data and NRM technical information. Utilising soils maps, land management manuals, technical reports and local knowledge will effectively facilitate regional intelligence on, for example, the most productive areas for crops, horticulture, and pastures for dairying and cattle fattening.

This will also help to advance environmental values relevant to soil types, water quality, aquifer interconnectivity, biodiversity, vegetation management etc.) Utilising departmental resources and relevant research on, for example, soil science, water quality etc will ensure the Bill will be resourced to safeguard agricultural land and all its associated natural resources.

QMDC's ongoing concerns with SCL legislation and policy means clauses 8 (3) (4) & (5) are likely to raise issues because some of the areas that are currently deemed not to be SCL are questionable.

2.6 Clause 9 Offence to carry out CSG activity on protected land

QMDC supports this clause.

2.7 Clause 10 Liability of executive officers

QMDC supports this clause.

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2.8 Clause 11 No compensation etc.

QMDC supports this clause.

2.9 Clause 13 Existing petroleum tenures etc.

QMDC believes issues related to pre-existing approvals and the provisions to safeguard *protected land* should be better legislated. In order to avoid potential court actions by CSG companies against the State, QMDC recommends allowing a period of time, similar to provisions available for water licences during which if companies have either not exercised their EA or began their development they revoke their development approval.

3.0 Recommendations

- 3.1 That the Bill be informed by data obtained from the mapping of relevant natural and agricultural resources and associated technical reports, land management manuals and local knowledge.**
- 3.2 That a simplified Strategic Cropping Land assessment methodology be adopted to help inform the purposes of the Bill.**
- 3.3 That the existing approvals clause be revisited and redrafted to ensure there are adequate timeframes for an existing approval to be revoked.**