



QMDC's Comments on the draft Darling Downs Statutory Regional Plan

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Submission to:

Deputy Premier, Minister for State Development, Infrastructure and Planning
Department of State Development, Infrastructure and Planning
PO Box 15009
City East Brisbane Qld 4002
Fax: 07 3237 1812
Email: DDRRegionalPlan@dsdip.qld.gov.au

Submitting organisation:

Chief Executive Officer
Queensland Murray-Darling Committee Inc.
PO Box 6243
Toowoomba QLD 4350
Phone: 07 4637 6276
Fax: 07 4632 8062
Email: geoffp@qmdc.org.au

These comments are 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 Overarching comment

QMDC asserts that the Darling Downs Statutory Regional Plan (the Draft Plan) is profoundly defective and contradicts the aspirations and local knowledge of the communities of the Darling Downs region. For this reason the Draft Plan should be seriously reconsidered in order to progress it from this first draft.

QMDC believes the consultation and overall planning process would have worked better if the planning support provided by the State Government to the Planning Committee had fewer predetermined limitations. It would seem there has been considerable predetermination on what can and cannot (mostly cannot) be achieved by the Regional Plan regardless of the aspirations of the region's communities and the clearly identifiable planning needs of the region.

QMDC seeks a better process to ensure that:

- A strong sense of community engagement is achieved in designing regional policy and outcomes for the Darling Downs Statutory Regional Plan;
- The Plan meets a wide range of community expectations;
- There is ample opportunity to participate for a wide range of interests;



- The Plan is being integrated and aligned to community aspirations, local and regional knowledge and with regional, state and national NRM programs to optimise cost benefits; and
- Land use planning reform is better managed as a total package through an improved coordinated delivery of science, policy, planning and legislation.

2.0 The Draft Plan is dominated by an economic growth agenda

QMDC asserts the Draft Plan is driven by an economic growth agenda that promotes mining and housing development over all other planning needs for the region. The Draft Plan is based on the premise that agriculture and resource activity can “co-exist”. Experience has shown that the successful interface between the two sectors is yet to be determined because it depends on which type of agriculture enterprise, and mining activity; it is reliant on the social well-being of farmers and the communities they are a part of, and it is also dependant on the cumulative impacts on the threshold limits of the natural resources relied upon to sustain the ecosystem services being used by not only the agricultural and mining industries but all users of those assets.

QMDC asserts a key aim of the Draft Plan was to reduce costs and remove environmental safeguards to make it easier for the mining industry to explore and extract mineral resources. This is contrary to both the aspirations community have for a Regional Plan and also to the object of the *Environmental Protection Act*, which are to improve the total quality of life, both now and in the future by maintaining ecological processes which life depends and to strengthen the social fabric of rural communities.

QMDC do not see the changes in public expectations of the mining and energy industries strongly reflected in the Draft Plan.

QMDC agrees that legislation, planning and policy, should be reviewed periodically to ensure they remain on par and support best practices. However QMDC asserts the starting point for reform must be ensuring environmental protection and sustainability objectives are furthered by reform and not watered down because industry is having issues with the costs or the requirements of compliance. The protection of the environment and the social fabric of regional communities must be the baseline from which any reform needs to start. A comprehensive understanding of the projected impacts of industry and business and compliance with regulation in the Darling Downs region could be explored in order to ascertain those impacts on the region's natural resources and other assets as identified in the Regional NRM Plan.

Overall QMDC is concerned that the drive to reduce regulation for the mining and energy industries and the support given to this by the Draft Plan is swimming against the tide of community expectations of government. In our opinion the community expectations of government are to improve transparency of decision making, and governance, and safeguard environmental values and assets in balance with economic and social development. Communities in the Darling Downs region are strongly advocating for development that aims to balance the protection of the natural environment whilst developing a sustainable economic platform for the region.



The Draft Plan clearly fails to address social planning issues pertinent to the region including the long term productive capacity of agriculture including the mental health of farmers and their concerns related to business surety. The Draft Plan also does not adequately set strategic direction for long term tourism opportunities. The Draft Plan therefore not only exacerbates land-use conflicts between mining, housing and agriculture, it also increases, the lack of confidence community has in current statutory planning processes and instruments. The Draft Plan could instead give equal consideration to social, economic and environmental interests and values.

3.0 The Draft Plan could better support public interests

QMDC argues that a public resource such as coal and CSG should be managed for public good. The Draft Plan could therefore better preserve that public good by addressing in balance the region's social, environmental and economic needs.

The key 'economic growth' driver of the Draft Plan is obviously biased towards mining – there is, for example, no assessment of the boom/bust industry and whether this is acceptable in terms of sustainable productivity. QMDC argues that the State Government needs to slow the mining and energy industry down and protect public resources for future Australian generations. The faster it is mined, the faster it goes to other countries. Policies supporting the Draft Plan are therefore seriously flawed. 'Economic growth', supported by a co-existence agenda allows mining companies access to agricultural land throughout the region.

The Draft Plan specifically fails to deliver on the promise made by the LNP prior to the March 2012 election to enact 'statutory regional planning' for the purpose of giving priority agricultural areas absolute protection from mining¹.

The Draft Plan does not recognise the fact that agriculture contributes more to Gross Regional Product and employment in the Darling Downs region than the mining industry. The lifespan of a CSG project is approximately 30 -40 years in comparison to the much longer lifespan of the agricultural industry. Queensland's mining industry has experienced periods of high growth in the past but is currently demonstrating negative economic growth. Uncertainty envelops the long term viability of the mining industry. The Draft Plan will certainly undermine the stated election policy intent and agricultural strategy of doubling agricultural production by 2040. Lastly, mining on land that was alienated in fee simple by the Crown before 1 March 1910 (prevalent throughout the Darling Downs region) returns nothing in royalties to the State.

The Plan needs to be a regional plan for all sectors of the community with a clear focus on the public good.

¹ "If elected to government, we would quickly introduce Statutory Regional Planning Schemes to protect strategic cropping land on the Darling Downs and in the Golden Triangle," <https://lnp.org.au/local-news/darling-downs/>



4.0 Sustainability and the regional economy is not seriously considered

For the regional economy, to run effectively and sustainably, this requires State Planners and Policy makers to account for the finite character of natural resources, especially water and highly productive soils. Clearly the Draft Plan could value natural capital and realise the long term costs on the region's communities for resource use and consequential pollution. Such consideration could assist local government, corporate companies, rural enterprises and investors to regionally address sustainability issues in their business and social planning decisions in order to secure a sustainable regional economy.

Although mining companies are developing ways to deliver goods and services more efficiently, their overall reliance on natural capital is growing in the region. The State Government has yet to decouple "growth" from environmental damage. This is mainly because of the State and global economies' continued reliance on carbon-intensive fossil fuels, which means that a large percent of costs come from greenhouse gas emissions. It's clearly not just about greenhouse gases, water is also material, as the repercussions of drought and flooding have shown, from export disruptions to rising crop prices.

It has been estimated by Paul et al (2011)² that the life cycle effects of coal and the waste stream generated are costing the U.S. public a third to over one-half of a trillion dollars annually. If the damages are accounted for this conservatively doubles to triples the price of electricity from coal per kWh generated, making wind, solar, and other forms of non-fossil fuel power generation, along with investments in efficiency and electricity conservation methods, economically competitive.

The State of Green Business 2013 Report by Joel Makower and the Editors of GreenBiz.com identifies that among companies around the world "their top four environmental impacts represent about 80% of their overall footprint" and in the global view of business, that 80% comes from greenhouse gas emissions of all types (41%); water extraction — the process of taking water from any source, for irrigation, energy production, manufacturing, drinking water, or other uses (27%); acid rain and smog precursors, which include sulphur dioxide (SO_x), nitrous oxides (NO_x) and ammonia for acid rain, and NO_x and carbon monoxide for smog (7%); and dust and particles suspended in air, microscopic solids or liquid droplets that are so small that they can get deep into the lungs and cause serious health problems (5%).

<http://www.greenbiz.com/research/report/2013/02/state-green-business-report-2013>

This mix of environmental impacts is evident in the Darling Downs region and could have helped to inform the Draft Plan. Profiles of the mining, housing and agricultural sectors could have allowed the State Planners to calculate a damage cost and apply to each resource and emission, so as to generate an external environmental cost profile. The costs would then have represented the quantities of natural resources used or pollutants emitted multiplied by their environmental damage costs to the economy and the region.

² Paul R. Epstein, Jonathan J. Buonocore, Kevin Eckerle, Michael Hendryx, Benjamin M. Stout III, Richard Heinberg, Richard W. Clapp, Beverly May, Nancy L. Reinhart, Melissa M. Ahern, Samir K. Doshi, and Leslie Glustrom. 2011. Full cost accounting for the life cycle of coal in "Ecological Economics Reviews." Robert Costanza, Karin Limburg & Ida Kubiszewski, Eds. *Ann. N.Y. Acad. Sci.* 1219: 73–98.



External costs are incurred whenever a natural resource is used or emissions are made in the region to air, land or water. The external cost of using an environmental resource, such as water, or emitting a pollutant, such as carbon dioxide, should not be the cost that is borne by the region through the degradation of the environment. This cost is rarely borne by the company that uses the resource or emits the pollutant. The Draft Plan has not been designed to cater for these externalities in spite of the resource industry having the potential to phenomenally increase such costs.

Makower et al. state that “the European Commission estimates that dust and particles from sources including fuel cause the premature deaths of almost 370,000 people every year and reduce life expectancy by 8 months. Air pollutants could result in €189-609bn in health costs by 2020. Measures to reduce pollutants could cost the market economy around €7.1bn annually, saving at least €42bn in health costs”.

Research in Australia also suggests that “air pollution is responsible for 2.3% of all deaths in Australia. It is estimated that air pollution causes 640 to 1400 premature deaths and almost 2000 hospitalisations per year in the Greater Sydney Metropolitan Region. Air pollution costs New South Wales around \$ 4.7 billion dollars per year in health costs.”

http://www.health.nsw.gov.au/publichealth/environment/air/air_pollution.asp

The fact that these types of external costs are not apparent in the Draft Plan means that the inherent assumptions about the economic “growth” created by the mining industry do not take into account, for example, how burning diesel for road transport generates particulates which have an adverse effect on human health and the environment. Although increasing road traffic in the region is identified in all coal and CSG Environmental Impact Statement and Environmental Authority applications as a major social and environmental impact, the Draft Plan does not account for the total social costs associated with this product - these will be borne by health services.

By valuing environmental impacts certainty could be advanced for the future sustainability of the region as a key part of the Queensland economy. Accounting for the damage that is done to society and human capital by pollutants and natural resource use, will progress better decisions on development which includes quantifying associated human health costs.

5.0 The cost of protecting natural capital creates strategic opportunities

The cost of protecting natural capital creates strategic opportunities for the State government, local government, regional communities and businesses that can optimize resource use, and deliver innovative products and services to help companies and businesses better align business success with environmental trends.

Many international companies are reaping the rewards of strengthening supply-chain resource management, from cost savings to innovation that leads to new revenue streams. Investors continue to become more ethical in their choices. They are routing out the most material risks and opportunities, allocating financial capital effectively and are starting to reward companies taking the initiative to measure their profits against damage to natural capital and resources.

Produced by: Geoff Penton & Kathie Fletcher, 13 September 2013
For further information, contact QMDC on (07) 4637 6200 or visit www.qmdc.org.au

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There is an opportunity for State Planners to draft a Plan that could take the lead in promoting a strategic planning direction in a resource-constrained, volatile regional economy that has worldwide become the “new normal”. The Draft Plan could begin by determining what the threshold limits are for the region’s natural resources and how much the region can sustainably rely on that natural capital now and in the future. By using that insight to design a statutory plan for the region could enhance economic value for the region’s communities, and unleash new business opportunities.

6.0 Social licence to operate

“Sustainability” has taken on a new, poignant meaning, which not only aligns economic, environmental and social interests, but is also increasingly linked to reducing supply-chain risk and ensuring business continuity during disruptions, the social licence to operate in resource-stressed areas, reliable and cost-efficient energy supplies, and brand value and reputation.

Weight could be given to the serious consideration of the economic and social impacts of mining developments on agriculture. The uncertainty created by exploration, for example, has dire and immeasurable impacts such as loss of confidence in - future farm innovation and investment, succession planning, mental health stresses and so forth. Many landholders in e.g. Felton, Cecil Plains, Miles, Chinchilla are suffering on all levels. Mining companies’ economic analyses are notoriously poor and rarely consider base case scenarios such as loss of farm production through impacts on mental health and decreasing family succession on farms.

The Draft Plan could consider these social factors alongside climate impacts and extreme events, renewable energy opportunities, and resource efficiency. It could also consider risk, resilience and transformative strategies as they relate to the surety of agriculture, mining and housing investments. It could take into account how communities currently assess the responsibility of companies within their regions, in terms of the fair appropriation of local resources especially when they are scarce.

The Draft Plan has not insulated the region from turbulent times, it hasn’t adhered to election promises, and it does not ensure, that communities, where mining companies will be permitted by the State Government to operate, will welcome that development. It has not in QMDC’s opinion helped the region’s communities to be resilient, survive and/or transform amid disruptions, climatic or political.

The Draft Plan delivers no appreciation of how mining and agricultural activities interact in practice. In the region current impacts range from minimal (which might allow simultaneous operation in close proximity) to extreme (requiring demonstrative separation through time and space). If the Draft Plan is meant to promote certainty; incompatible industries and land use activities must be assessed as such and separated.

The Plan’s interpretation of co-existence is guaranteed to increase uncertainty, interpersonal conflict and the cost of doing business for all parties. In particular, it leaves miners exposed to the risk of widespread community backlash when they operate beyond the terms of community tolerance and fail to secure a ‘social license’ to operate within the region.

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The State Planners and Policy makers have not fully evaluated future scenarios and asked the communities they serve (and themselves), what happens if the Darling Downs devolves into an undesirable state of condition? What scenario would the region's communities prefer to be in and how can they get there? In 10 to 20 years, resiliency planning is likely to not be enough. It is therefore most important to include in the Draft Plan, mechanisms for transformability in addition to resiliency.

Should the Draft Plan be implemented in its current form, the Darling Downs region may well degenerate into an undesirable state of being: with depleted natural resources; economic crises and social disharmony. If this occurs resilience will be near impossible. A better plan for the region is needed to identify specific contingency planning strategies that prepare the region for transformation. QMDC appreciates a tension exists between continuing the resilience of a desired current configuration in the face of known (and some unknown) shocks, and concurrently building a capacity for transformability, should it be needed.

Transformation actions could look to that future (or current) untenable state of the region and anticipate what makes it unbearable. For example, if communities cannot live with the pollution caused by fossil fuels extraction, production and use, both the State Government and local governments could plan and promote for alternative ways of generating power. If communities cannot live in a condition that lacks biodiversity and healthy ecosystems, it is incumbent that the Draft Plan protects species and habitat immediately. The Planners and Policy makers need to consider the worst case future scenario and work hard immediately to prevent it. Rehabilitation of soils and aquifers is not a given. Contingency planning by housing estate developers, mining companies and the agriculture sector could be addressed in the Plan to ensure natural disasters such as flood events and droughts are succinctly planned for.

The State Government has not provided community with much needed surety nor has it successfully improved communities' capacity to change the region from any current or future undesirable state of condition to one they would like to or could live in.

The Draft Plan needed to view - incremental changes to the Plan as insufficient; ignorance as unacceptable; and unpredictability as the new norm. This failure to do so is unacceptable and dangerous especially in the face of ongoing social impacts, climate extremities, market fluctuations and political uncertainties.

7.0 Definitions of key terms & inherent assumptions e.g. co-existence, certainty, sustainable

Clearly the science relied upon to inform the assumptions and definitions, promoted by the Draft Plan is highly questionable e.g. buffer zones and coal dust plumes. The knowledge gaps are obvious, especially in regards to past reports on soils and more recent soil data from the DAFF Land Audit. A framework to define "co-existence" is discussed in Appendix 1. The whole Plan hinges on "co-existence", yet pages 9 and 57 of the Draft Plan state that the Appendix '*does not form part of the regional plan*'.



8.0 Policy issues – the identification, definition and determination of:

- PALUs (Priority Agricultural Land Use Areas)
- PAAs (Priority Agricultural Areas)
- PLAs (Priority Living Areas)

These definitions are not accepted as representing the best planning mechanisms for the region.

Determining and protecting priority agricultural land requires in QMDC's opinion simplifying the current Strategic Cropping Land (SCL) 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** (called a Priority Agricultural Area (PAA) in the Draft Plan).

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**. 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 or coal 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.

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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 in the SCL framework is not supported when perfectly good established procedures developed by eminent scientist over generations are available. These established procedures should NOT be banished.

9.0 Mapping issues

The Draft Plan could be informed by accurate mapping under a simplified SCL assessment methodology and would include key soil data to inform forward thinking and sustainable policy and planning practices in order to secure resilient and transformative strategies for the region.

10.0 Good Quality Agricultural Land and Strategic Cropping legislation

The Draft Plan makes no cross reference to the existing SCL legislation and how it might be complemented by statutory regional planning. Unfortunately the Draft Plan conflicts with the existing legislation making it impossible for the two policies to operate affably and concurrently. QMDC asserts that a more improved Good Quality Agricultural Land and SCL framework as per its submission on the *SCL Framework review* dated 9 September 2013 could be the primary government planning instrument to ensure the protection of agriculture throughout the Darling Downs region.

11.0 Recommendations for Policy intent

Although there are many statutory and regulatory planning arrangements across the State Government and local government the Regional Plan should be the place to establish the guiding policy direction for many issues that require regional collaboration, coordination and action, rather than leaving them to a multitude of disparate mechanisms.

Below are listed some suggested policy directions for key regional issues the Darlign Downs currently faces.

Regional outcome

Agriculture and its associated industries within the Darling Downs region continue to grow with certainty and investor confidence.

Regional policy 1

Protect Good Quality Agricultural Land and Strategic Cropping Land Uses within the Darling Downs region.

Regional policy 2

Optimise opportunities for sustainable businesses that protect and improve the natural and social capital of communities in the Darling Downs region.



Regional outcome

The growth potential of towns within the Darling Downs region is determined by the threshold limits of the natural resources of the region to provide sustainable ecosystem services.

Regional policy 3

Determine the areas required for the growth of towns through establishment of threshold limits

Regional policy 4

Provide for business activities to locate within the region where they meet the communities' expectations as determined by sustainable economic, environmental and social interests.

Regional outcome

The Region is able to rely on the continued capacity of water resources to provide social, economic and environmental opportunities.

Regional policy 5

Improve water quality for key catchments and achieve and maintain healthy riverine ecosystems across the region and significantly reduce threats and impacts on water quality in the region.

Regional policy 6

Implement regional water quality guidelines and avoid or restrict discharges of contaminants in to waterways.

Regional outcome

Vegetation clearance that will result in unacceptable impacts on regional ecosystems will not be permitted. The Region's aim will be no net loss.

Regional policy 7

Continue to limit tree clearing and implement vegetation management, particularly endangered ecosystems and ensure any offsets program requires no net loss.

Regional outcome

Ensure consistent action across Plan theme areas and not concentrate solely on economic growth

Regional policy 8

Develop a clear understanding of responsibilities and mechanism for implementation of Plan at local and regional levels.

Regional policy 9

Mechanisms put in place for ongoing community information sharing on Plan progress



Regional outcome

Provide for the management of cultural heritage sites across multiple tenures.

Regional policy 10

Develop the region's cultural site audit and mapping. Invest in the collection of cultural knowledge and site management plans are developed for enhancing tourism and education potential.

Regional outcome

Implement a coordinated approach to waste management across Darling Downs region, e.g. a recyclables circuit.

Regional policy 11

Develop incentives and disincentives for improving household waste management. Progressive conversion of landfill/ refuse sites to waste separation centres for maximum recycling.

Regional outcome

Incorporate review of existing infrastructure efficiency into regional infrastructure plan

Regional policy 12

Develop infrastructure design guidelines and implement green building design standards.

Regional outcome

Develop regional targets for renewable energy.

Regional policy 13

Identify suitable sites for renewable energy infrastructure development and ensure electricity grid is compatible with future renewable energy options.

Regional outcome

Identification of threshold triggers and threshold limits to streamline the development assessment and approval process.

Identification of natural assets that are at risk from cumulative impacts of development

Regional policy 14

Develop with community a set of agreed cumulative assessment methodologies.

Regional outcome

Coordination of weed and pest management activities across the Plan region

Regional policy 15

Consider opportunities for improved effectiveness of management and control strategies.



Regional outcome

Establish a consistent system for monitoring and reporting against the Plan in collaboration with local government, State Government, Non-Government Organisations and industry.

Regional policy 16

Develop and adopt a common monitoring and information sharing arrangements for key regional parameters consistent with the NRM regional plan.

Regional outcome

Improve the region's science capacity and knowledge transfer systems to ensure high levels of adoption of research outcomes.

Regional policy 17

Future food security and regional food production capacity requires ongoing R&D.

Regional policy 18

Invest in regionally relevant field research and develop a science plan for the Darling Downs region.