


## STRATEGIC CROPPING LAND BILL

### Message from Governor

 **Hon. RG NOLAN** (Ipswich—ALP) (Minister for Finance, Natural Resources and the Arts) (8.12 pm): I present a message from Her Excellency the Governor.

The Deputy Speaker (Ms Farmer) read the following message—

MESSAGE

STRATEGIC CROPPING LAND BILL 2011

*Constitution of Queensland 2001, section 68*

I, PENELOPE ANNE WENSLEY, Governor, recommend to the Legislative Assembly a Bill intitled—

A Bill for an Act about land that is highly suitable for cropping, and to amend the Environmental Protection Act 1994 and the Sustainable Planning Regulation 2009 for particular purposes


GOVERNOR

(sgd)

Date: 25 OCT 2011

*Tabled paper:* Message, dated 25 October 2011, from Her Excellency the Governor recommending the Strategic Cropping Land Bill 2011.

### Introduction and Referral to the Environment, Agriculture, Resources and Energy Committee

 **Hon. RG NOLAN** (Ipswich—ALP) (Minister for Finance, Natural Resources and the Arts) (8.13 pm): I present a bill for an act about land that is highly suitable for cropping, and to amend the Environmental Protection Act 1994 and the Sustainable Planning Regulation 2009 for particular purposes. I table the bill and the explanatory notes. I nominate the Environment, Agriculture, Resources and Energy Committee to consider the bill.

*Tabled paper:* Strategic Cropping Land Bill 2011.

*Tabled paper:* Strategic Cropping Land Bill 2011, explanatory notes.

Queensland is a vast state with precious little high-quality agricultural soil. In recent times, as the economics of mining have changed, the best quality cropping lands have begun to experience significant pressure from mining development. The bill that I introduce today shows that this government is acting. We believe that Queensland's best farmland is a precious resource that must be protected for future generations. That is why we are the first government in the country to protect farmland by law. I seek leave to have the remainder of this speech incorporated in *Hansard*.

**Mr Seeney:** That's because you don't understand it. You can't even say the words.

**Ms NOLAN:** Madam Deputy Speaker, I withdraw that request.

Like all great environmental reforms, science is at the heart of the Strategic Cropping Land Bill. Government has developed a rigorous soil science test to determine where the state's strategic cropping land is. The test has been subject to an independent scientific review and its rollout will be overseen by the Science and Technical Implementation Committee—a group made up entirely of professional soil scientists to ensure technical rigour is maintained and a group which I initiated.

The test establishes eight criteria that in combination provide a rigorous and accurate assessment of the state's strategic cropping land. The eight criteria include assessment of the soil's depth, its drainage, slope, rockiness, gilgai microrelief and pH, as well as salinity and water storage capacity. Around four per cent of Queensland's land area is mapped as potential strategic cropping land, which is around 7.5 million hectares of the state. It is an area that extends from Mossman, north of Cairns, all the way south to the New South Wales border—an area that extends from the coast 500 kilometres inland to cover Clermont, Emerald, Roma and St George.

The legislation splits this area into two categories. It creates protection areas around the Darling Downs, the Lockyer Valley and the golden triangle, as well as a management area that includes much of Queensland's coastal farmlands. In protection areas, future open-cut mines or other developments which permanently alienate the land will effectively be banned. In management areas, mining can still go ahead but only if the proponent can prove that they have avoided, minimised and mitigated their impact of farming land.

Whilst avoiding and minimising impact are clear in the bill's intent, it also establishes a mitigation framework whereby local communities, should their strategic cropping land be permanently impacted by a development, will have the productive capacity of that agricultural land mitigated in their local area. Project proponents will be required to enter into a formal arrangement with government on how their mitigation obligations will be met. This arrangement will ensure that local communities do not see a net loss of agricultural productive value in the long term.

Importantly, the new law is not just about preventing permanent loss of strategic cropping land due to mining; it is about conditioning a range of significant development types which would impact on strategic cropping land. Urban encroachment is also a real threat to the state's best quality cropping lands, so the legislation will provide for new state planning policy for best quality farmland protection.

Development that is made assessable by local councils for material change of use or reconfiguring a lot will also now be assessable by the Department of Environment and Resource Management if the development will lead to a prescribed and significant size impact on strategic cropping land. Under the provisions of this bill, a change of use for urban or industrial development in rural areas, already assessable by councils under their planning schemes, that has a footprint larger than 750 square metres, or just under a quarter acre for those who still speak in the old money, will be referred by councils to the Department of Environment and Resource Management for assessment of its impact on strategic cropping land.

The Strategic Cropping Land Bill is a significant policy shift. Before this government took this nation-leading step, mining had a pre-eminent right to almost all land except urban areas and national parks. That is the very significant—indeed groundbreaking—change that this Labor government is making with this legislation.


Consistent with a policy of this magnitude and breadth, substantial policy work has been undertaken to smooth the transition for both the agricultural sector and the urban development and resource sectors. In brief, these initiatives are transitional arrangements for resource projects which were well advanced, having had the terms of reference for the EIS approved when government announced the legislative framework on 31 May this year; and transitional arrangements for the Bandanna Energy project at Springsure Creek, which met the test above, and for established mines looking to expand. Together, these arrangements manage sovereign risk.

050 Together, these arrangements manage sovereign risk. The bill also ensures that costs associated with applications for development, including having strategic cropping land confirmed by government, are to be borne by the development proponent, not the party seeking to protect their land. There has been creation of an exceptional circumstances test to be applied in protection areas, which will ensure that the new laws will not prevent a project which cannot be accommodated on any alternative site and which presents an overwhelming public benefit.

Finally, the bill provides that a comprehensive review of the legislation be undertaken two years after its commencement. Queensland is a growth state, the economic engine room of the nation. Our economy right now is in a period of transition, not just to a mining boom but to a period of sustained growth as we become, for the first time, a major energy exporter. The government supports resource developments as a harbinger of economic and social opportunities for people. We recognised that a strong resources sector creates an opportunity for the proceeds to be funnelled into the education and skilling of the people of Queensland but we do not, and have never, supported resource development at any cost. The challenge for Queensland is to ensure economy-wide growth and development, and this includes ensuring that agriculture maintains its most precious and scarce resource—its strategic cropping land.

This bill is about supporting agriculture. It is a key plank of our policy to treble the value of Queensland's agricultural production by 2020. Our commitment is to a sustainable mix of economic growth and development. This bill is the result of extensive consultation involving organisations like the Queensland Resources Council, the Queensland Farmers Federation, Future Food Queensland, AgForce, the Local Government Association of Queensland, the Planning Institute of Australia and the Urban Development Institute of Australia. I thank these Queenslanders and the officers from my department who have worked diligently together on this policy, in spite of their sometimes divergent interests. This bill represents a very significant public policy shift initiated and led at every step of the way by this groundbreaking Labor government. It is a significant public policy shift towards sustainability. I believe it gets the balance right. I commend the bill to the House.

### First Reading

 **Hon. RG NOLAN** (Ipswich—ALP) (Minister for Finance, Natural Resources and the Arts) (8.23 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

**Madam DEPUTY SPEAKER** (Ms Farmer): Order! In accordance with standing order 131, the bill is now referred to the Environment, Agriculture Resources and Energy Committee.