

Protection of Prime Agricultural Land from CSG Mining Bill 2013

Oakey Coal Action Alliance (OCAA) submission

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Submission To:

Agriculture, Resources and Environment Committee

Parliament House

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The OCAA is an incorporated community group whose members are opposed to the Stage 3 expansion of the New Acland Coal mine (NAC) on the Darling Downs, near Oakey Queensland. This revised expansion will involve mining a total 5000 ha (with Stages 1 and 2) of Class A agricultural land. The mine output is currently 4.8 mtpa and will increase to 7.5mtpa if the modified

Stage 3 is approved. OCAA is deeply concerned about the loss of many hundreds of hectares of Strategic Cropping Land at Acland and the potential for industrial development (CSG and mining) impacting more of Queensland's best agricultural land such as the Darling Downs in the future.

Thank you for the opportunity to comment on this Bill.

1.0 General comments

OCAA supports the objectives of the *Protection of Prime Agricultural Land and Other Land from Coal Seam Gas Mining Bill 2013* (the Bill) and recognises the benefits of this Bill in protecting soil and water resources of the Darling Downs for future generations of Australians.

We are greatly concerned about the cumulative impact of the CSG industry on aquifers of the Upper Condamine and Great Artesian Basin, which are vital environmental and agricultural water flows described as some of the most stressed aquifers in Australia. Indeed your Government has recently confirmed that these aquifers are already over allocated and suffering significant draw down, long before a full adoption of multiple large CSG projects has occurred¹.

We believe this Bill will help to prevent serious water depletion and contamination of the surface and underground water. We further believe that the presence of, or proposal for, new or expanded open cut coal mines in the Upper Condamine catchment will have adverse cumulative impacts additional to those of the CSG industry.

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. Resource development in Queensland has developed at a pace and scale likely to cause impacts on agriculture and local and regional natural resources and other assets readily identified in the Regional NRM Plans.

The Darling Downs represents some of the nation's best productive agricultural areas and this 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.

While we are aware of the intense economic growth associated with the current resource boom, our communities have also experienced first-hand the downside of the boom, associated with the closure of the town of Acland, the loss of 70 district farms and the downstream closure of over 30 businesses in the district. The likelihood of similar impacts to other centres should be taken into account by the Committee, recognising that a region such as the Darling Downs has an historical and current skill base and culture of agriculture, particularly cereal cropping and cattle. We have witnessed that large scale high impact industries such as either CSG or open cut coal mining can have negative effects on existing business success, productivity, mental health, forward planning and social cohesion. We believe that the legacy of this current mining boom on closely settled agricultural areas of the Darling Downs will be regarded retrospectively as social and environmental failures. Rather than causing Queensland to flourish in the long term, this state is likely to have significant water, soil, health and economic impacts, the effects of which will be felt for generations to come.

OCAA concur that 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

We endorse these purposes.

2.2 Clause 3 How the purposes are achieved

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

Subsequent Legislation must clearly identify with maps those areas of land where prohibition is to occur.

2.4 Clause 7 Meaning of *CSG activity*

OCAA supports this definition.

2.5 Clause 8 Meaning of *protected land*

Landholders on the Darling Downs have stated 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. This includes much of the areas east of Chinchilla, and the entire Cecil Plains district.

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

Removing the need for a trigger map will simplify the process, reduce costs and create certainty.

Implement in its place a ***SCL map***. 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 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 'ring fence' areas of agricultural land of national significance as well.

There is a very poor industry record in regard to rehabilitation of mined or gas extracted land. There have been **no scientifically validated studies** showing successful rehabilitation of Darling Downs soils to cropping or grazing standards post mining. Recently the presence of many hundreds of open and potentially leaking test wells associated with exploratory drilling has been highlighted². These problems are likely to be only the tip of the iceberg when considering the proposed scale of the entire CSG/ LNG process.

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.

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

We support this clause.

2.8 Clause 11 No compensation

We support this clause.

2.9 Clause 13 Existing petroleum tenures etc.

It is necessary for issues related to pre-existing approvals and the provisions to safeguard *protected land* to be better legislated. In order to avoid potential court actions by CSG companies against the State, there should be an allowed 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 it is adequate

We support any future amendments that exonerate the Queensland Government from liability in the case of existing infrastructure in the protected land area.

1. <http://www.nrm.qld.gov.au/qmdb/pdf/upper-condamine-alluvium-factsheet.pdf> Sept 2012

2. **Beef Central Gas and the danger of open exploration holes: A driller's view** Ian Hansen 10 Oct 2013