Mineral and Energy Resources and Other Legislation Amendment Bill 2024

Submission No: 1

Submitted by: NPH Farming Syndicate

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Submission to Mineral and Energy Resources and Other Legislation Amendment Bill 2024.

To the committee,

I respectfully request an opportunity to appear before and to address the review committee.

The passing of this bill shall impact beyond remediation some of the most productive Priority Agricultural Areas (PAA) in Australia. For this reason, I would request that committee come for the short drive and view for themselves the CSG subsidence impacts that have started to unfold and shall continue to unfold across our floodplain areas.

Whilst the amendments to the legislation appear to put into place protections for areas yet to be developed, many of us are at the cruel hard "coal face" of the CSG induced subsidence issue. CSG extraction commenced in our area over 9 years ago. Consequently, OGIA studies have already shown subsidence across our region.

The legislation proposed is a start but has failed to address some huge issues that committee need to be aware of and as time is of the essence we would seek an opportunity to list and discuss these items prior to any briefing at Parliament House.

I am a part of NPH Farming Syndicate, a farming family of intergenerational farming expertise. We have worked our present flat floodplain country since 1935 so understand the intricate problems that behold a flat floodplain. Please do not disregard the wealth of knowledge we have and can continue to contribute to the issue of subsidence across a flat floodplain.

I recognise the work that has gone into developing some legislation finally acknowledging the need to address the ever increasing and unfolding problem of having to deal with CSG subsidence on Priority Agricultural Area (PAA) floodplain.

Our land is beyond being offered a Subsidence Management Plan. We need to know what the Subsidence Remediation Process is for PAA irrigation and dryland farms that subside and shall continue to subside for quite some time.

I have listed the areas of great concern that this Amendment Bill have failed to address.

Landholders with existing Deviated wells trespassed from a Neighbours Land.

- The land access framework set out in MERCP Act requires the negotiation of a Conduct and Compensation Agreements (CCA) prior to CSG drilling activities – this does not occur for deviated wells originating from a neighbour's land.
- Resource tenure holders refuse to term deviated wells in this situation anything but preliminary. Legislation states every case must be judged on a case-by-case basis. Tenure holder has been able to "self-assess" that they are not impacting landholder and therefore CSG wells are preliminary. This involves no input from trespassed landholders.
- Landholders under drilled are given NO rights to discuss development under their land.
- Landholders with deviated wells are **still** under this Bill unable to access LAO services.
- Subsidence is now causing more than a minor impact and no CCA is triggered.
- Infrastructure beneath freehold land - deviated drilled under - can never be removed.
- Freehold land has volumetric title so gas and mining infrastructure must be able to be removed and this is not possible.

Bill Amendments to impacted landholders and neighbours from CSG subsidence.

- Section 22 of RPI Act 2014 presently has capacity for a RIDA to be triggered if a landholder or his neighbour is impacted.
- Amendment Bill will negate any power of Section 22 of RPI Act as impacted landholder or neighbour shall be **forced** into SMP.
- If Landholder has no confidence in its ability to lead to remediation or compensation this ends up in the Land Court to force a Subsidence Management Agreement (SMA).
- As an agreement is now in place Section 22 is redundant.
- Remediation of subsidence shall occur several times over the course of maximum settlement of CSG subsidence. The years of interrupted productivity MUST be compensated for. Land levelling is not a quick fix and comes with years of reduced yields due to compaction issues.
- Compensatable effects must be proved in court. Arrow LiDAR presented on an area wide scale, for those of us already subsided, will not be good enough to stand up in a court of law. For landholders yet to suffer development they have time to acquire an independent baseline. For those of us now subsided and told we should have been collecting a baseline 8 years ago **it is too late.**
- Arrow LiDAR on a regional scale has been collected in wet years and reads the top of water lying in fields not the ground level below the water.
- Arrow LiDAR has not been groundtruthed to what has occurred in the paddock at the time of LiDAR collection.
- Arrow LiDAR has a vertical accuracy of +/- 50mm – so an error of up to 100mm when looking of changes of only 100mm to prove subsidence to a court.
- Farmers will know when water no longer runs down their irrigation fields, but we shall have to prove this in court with NO appropriate scientific data for individual farm fields.
- Dryland farmers shall have a more difficult time proving subsidence with no independent ground survey - see below image of dryland paddock in wet year. This field **cannot** afford to have 1mm of subsidence.
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  - **This image is of waterlogged field some 2 weeks post rainfall event.**

The economics must be incorporated as to the total cost of compensation and remediation. Loss of irrigated cotton productivity is $10,000/ha. A mere 10,000ha irrigation lost productivity amounts to $100 million **per year** and there are many thousands of ha of irrigated land yet to have CSG development. Government may well be left with this cost.

Scope of practice for OGIA

- OGIA must prove integrity, efficiency and effectiveness of financial management.
- OGIA have expertise in hydrology and geology but sadly lack any agronomy expertise.
- The agronomical implications of CSG subsidence have not had any scientific work carried out.
- OGIA are playing catchup with only NOW Pilot Farm studies being carried out for areas that started to subside back in 2018.
- OGIA have no remediation plans for impacted CSG subsided farms.
- The economic impact has not been assessed by OGIA and needs to be.
- The development of a Subsidence Management Plan should be based on scientific evidence for each farm field by suitably qualified experts. OGIA do not possess the experts required.
- Until final results of Pilot Farm Study by OGIA are finalised this bill should not be passed. Our property is one to the only two properties in this study.
- Government have only recently funded OGIA with the finance to be able to start the appropriate investigative work and to contract the experts in the field required.
- OGIA are yet to develop a Subsidence Remediation Plan.
- A Subsidence Management Plan (SMP) is NOT a Subsidence Remediation Plan.
- OGIA when asked for remediation steps have no answers.
- CSG subsidence is beyond the planning stage for many of us and needs to be remediated now.
- As farmers having to remediate our CSG subsidence more than once we need to know how we are expected to continue with food and fibre production.

Human Rights Act 2019

- CSG induced subsidence triggers the HR Act Section 24(2.) *A person must not be arbitrarily deprived of the person's property.* The inability of landholders to be able to make profitable use of their subsided land is unjust and limits or terminates property rights.
- HR Act 2019 section 13(2) (c) *the relationship between the limitation and its purpose, including whether the limitation helps to achieve the purpose.* As the limitation – the amended bill - is unable to provide answers to remediation processes involved - as this work is yet to be done – the HR Act 2019 Section 13(2)(c) **has been breached**.
- The HR Bill as it relates to CSG-induced subsidence engages the *right to freedom from forced work* under section 18. Minister Stewart in his Statement of Compatibility considered the Bill does not limit this human right because no penalty may be applied, and no threat of a penalty may be made under the Bill if a landholder does not perform this work. It saddens me to reveal that unless a landholder, subject to the forced ADR and Land Court proceedings, invests a huge amount of time preparing for these proceedings then they shall undoubtedly be unprepared and be in a much worse position. **This is under Section 18 of HR Act 2019 Forced Work.**

- Coexistence is where both parties benefit from an agreement or situation. The situation of being forced into ADR and Land Court is **Coercion not Coexistence**. This Amendment Bill, in relation to remediation of the damage caused by CSG induced subsidence, does not instil the confidence in informed landholders of the process involved. Detail is scant and any landholder would be reluctant to sign a Subsidence Management Agreement when the scientific work is yet to be carried out. No science equates to no confidence in the process.

Despite Government advocating coexistence, the forcing of landholders into Subsidence Management Agreements when the science, technology and remediation steps have not been addressed yet is completely unacceptable. The forcing of landholders into an unknown subsidence Management Agreement is unethical and a definite breach of Human Rights.

I implore the committee to consider this Human Rights side of the policy when committee examine the Bill to be enacted. People are not being placed ahead of the progression of the CSG industry throughout our vulnerable and irreplaceable PAA floodplain areas. The present inability to provide remediation answers to CSG induced subsidence is weighing heavily on both the financial and health aspects of our farming businesses and its individuals.

This Bill finally recognises the CSG induced subsidence problem so long denied by industry but still provides no answers to the problem. It is the answers that we require not that there is now acknowledgement of a problem.

Because of the enormity of the CSG induced subsidence problem about to unfold across our floodplain, a group of us at the "coal face" of this subsidence would be delighted to meet the committee on these impacted fields and explain why this Amendment Bill does not adequately address the CSG induced subsidence.

I reserve the right to present additional information via a supplementary submission if an extension of time is at all possible.

Regards

Bev Newton.
NPH Farming Syndicate
[redacted]

Supplementary submission to MEROLA Bill 2024

To Committee,

Please accept this as a supplementary submission to the MEROLA Bill 2024.

My husband and I have both participated in reference groups in relation to subsidence issues over the years and are well aware of how planning groups do work and fail at other times.

The following submission points are meant to enlighten the committee as to why the Mineral and Energy Resources and Other Legislation Amendment Bill 2024 has created great nervousness in landholders. It is apparent to landholders that this Amendment Bill has been specifically designed in an attempt to bypass existing protection of Priority Agricultural Areas (PAA) in order to allow uninhibited progress of the CSG industry in sensitive PAA areas.

As far as I am aware, Planning Acts throughout the state have as a first priority the protection of our limited PAA land. PAA is a finite asset and to be preserved at all cost. Food and fibre production into perpetuity must trump the interests of overseas companies.

Below are the dot point issues that need to be revealed about those given the authority by Government Departments to determine the future of our Priority Agricultural Areas (PAA).

GFCQ

- Conflict of Interests should be declared by GFCQ persons responsible for writing policy.
- Director of Policy and Projects for GFCQ was the same individual who at an earlier point in time 22 August 2016 had approved a Later Development Plan for Surat Domestic Gas Project by signing this later development plan on behalf of the Minister at that time.
- This is surely a Conflict of Interest.
- An individual who has signed an authority for CSG industry to proceed is not likely to develop impartial policy that would not favour the industry one had previously approved.
- GFCQ created a Surat Stakeholder Advisory Group (SSAG) of which we were both members. The purpose of this group was to advise the Commission of landholder concerns and provide updates to landholders.
- Our very first SSAG meeting highlighted the subsidence on our floodplain and that this was going to create huge impact to our farming operations.
- SSAG members voted unanimously on a precautionary approach across our PAA floodplains until the science to support development had occurred. GFCQ over ruled this approach.

- **OGIA** OGIA knowledge and understanding of agricultural impacts are extremely limited.
- OGIA are not suited to decide the methodology in relation to PAA.
- Subsidence management must be administered under a Department likely to understand implications e.g. Department of Agriculture (DAF).
- DAF have access to suitably qualified agronomists to analyse reports and if required to determine when and where risks exist in the development of CSG that are too great for our most vulnerable PAA and SCA.
- OGIA LiDAR tool data can not be relied upon. OGIA's modelling is not correct and has been averaged over a regional scale and as such is not appropriate to use at the field or paddock scale.
- I have provided a section of our irrigation field – see below - that clearly shows subsidence of 200mm (green 2022) as compared to prior years (blue 2021 or orange 2020). This irrigation field has been developed and used for 24 years with only minor laser levelling having been carried out in the years following initial development. This touch up is commonly carried out due to settling after large amounts of dirt have to be cut and filled and usually occurs soon after initial development.

- The irony occurs in that this field does **NOT have the subsidence** portrayed here and we have successfully grown a cotton crop that we are about to pick. If such a huge hole did exist in our specifically land levelled irrigation field, the irrigation water would not have been able to run down the furrows and water the remainder of the irrigation furrow.
- The opposite side of the irrigation block is where we are noticing water no longer flowing effectively down furrows but instead the irrigation water wants to continually cut sideways and run into the neighbouring field. Arrow Energy have a multi-well pad of deviated wells in the paddock next to us. The OGIA LiDAR does not show any discrepancies in this situation and should.
- Use of LiDAR collected by way of regional flights will NEVER stand up in court to claim compensation for CSG induced subsidence.

This present piece of legislation unreasonably expects farmers in the above situation to undergo a Subsidence Impact Report (SIR) to be prepared every 3 to 5 years. A subsidence management plan is then dependent on the outcome of the farm field assessment.

Farmers are unable to manage this worsening situation and lose productivity for the 3 to 5 years while both OGIA and government decide just how to manage this worsening and irreversible situation. Where are the independent agronomists who work in the real world and would be able to advise OGIA as to how impractical this proposal is?

A response to a question raised during the landholder briefing session on 29 April 2024 confirmed that clauses 70 and 71 of the MEROLA Bill references 'to manage' the impacts of CSG-induced subsidence where the reference to manage **does not** include the provision to mitigate, prevent or remediate the impacts of CSG induced subsidence.

The Bill is flawed in that Clause 87, contradicts the above clauses 70 and 71 by stating the new section 184HB contains subsidence measures to address how and when the relevant holder will manage the impacts of CSG induced subsidence on the land. This section now states the term manage includes prevent, mitigate or remediate. For those of us now subsiding we wait with 'baited breath' to hear just how the **relevant holder intends to prevent something that is already been unleashed**. The mitigation and remediation processes are still years away in the planning processes. This leaves landholders to once again battle on their own in order to spend vast amounts of money fixing a problem that was never to have occurred.

OGIA needs to be a Qld Government Entity with proper governance, accountability and transparency. Queensland Government has revealed that the OGIA Elevation Profile Tool, that Landholders were led to believe would be able to monitor subsidence impacts from Arrow's CSG mining, is not able to derive CSG-induced subsidence. (Refer to the example included on page 2 of this submission.) It has now been revealed that OGIA is only provided with processed information from Arrow Energy who are responsible for the collection annually of the raw LiDAR data. A Specialist contractor acquired by Arrow

Energy acquires the LiDAR data and generates a ground digital elevation model (DEM). Contextual information about the data is then provided to OGIA.

This may be good enough for those landholders yet to undergo development. For landholders already subsiding we find we have been left with a worthless OGIA LiDAR tool and are unable to have any means of proving compensation for damage to our land.

Landholders must now engage surveyors themselves and attempt to gain a reliable baseline at a farm field level that would stand up in court. For many of us it is years after we have started to subside, despite OGIA now claiming they shall be able to develop a methodology to reconcile historical data to establish a baseline based on best available data. A baseline for us from 6 to 8 years ago and with uncertainty analysis to be used to capture a range of possibilities of baselines and ensure a conservative approach, I fear would not hold up in court.

We now expect to have to wait for further subsidence to be able to resurvey and have reputable professional surveyors testify in court the subsidence sustained. Many years later we may see some financial compensation. The consequences of undertaking this course of action shall be financially devastating as not only shall we have lost production from most of our fields, but rectification shall have to be outlaid by individual landholders. As already impacted landholders we cannot afford to wait years for the mooted Subsidence Impact Reports (SIR). We are impacted now and need answers that should have been thought about years ago.

OGIA and government have abandoned those of us already impacted. This has been a huge mistake on the part of government and OGIA to mandate that LiDAR was able to be used only to be told now that it is unsuitable for landholders to claim compensation at court level. This is precisely why Section 184 CG of this MEROLA Bill 2024 – Peer review by technical reference group- must not be done by the manager of office (OGIA). A technical reference group must be chosen by suitably qualified professionals that are at 'arm's length' from the manager of office (OGIA). Impacted landholders must be able to have a say in the type and quality of experts chosen to peer review work carried out by OGIA.

The technical reference group chosen would then peer review the scientific methodology used by OGIA. The manager of OGIA must not decide the groups membership terms of reference and other matters about the functioning of the group. Impacted Landholders must have input at this level. Only then can we avoid the repetition of this huge blunder now unfolding in relation to area wide LiDAR capture being able to give baselines to landholders with which to establish subsidence levels. Any conflicts of interest must be declared from any peer review members chosen. Expertise in the areas relevant to managing subsidence are essential. Hence, we must have professionals in agronomy and agricultural loss adjustment and not just geoscientific modelling. Section 184CG needs to be rewritten in order to give any credibility to transparency and true independence of OGIA.

The credibility of the supposedly 'independent' authorities of Gasfields Commission Queensland (GFCQ) and OGIA need to be independently peer reviewed

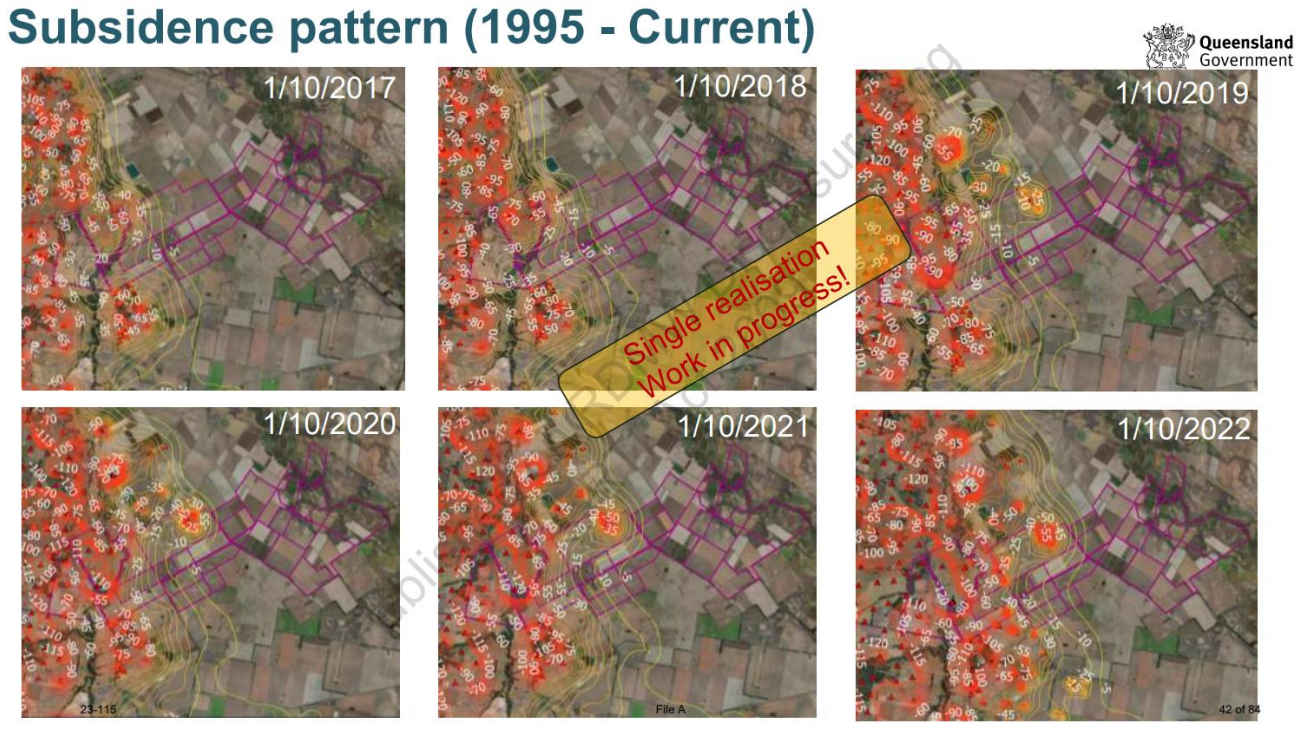
SUBSIDENCE PROOF:

Both LiDAR and InSAR data have been collected by Arrow Energy in order to monitor CSG induced subsidence.

LiDAR (light detection and ranging) as discussed above has failed for more than the reasons mentioned above. LiDAR is collected once or twice yearly but is never ground truthed back to the landholder. In fact, the landholder has never known just when the LiDAR has been flown. It has now been revealed that LiDAR was flown 14 July 2022 after an extremely wet period and water was still lying in the paddocks. (Remember LiDAR reads the top of the water lying in paddocks as it is unable to penetrate the water surface to read the ground level beneath the water). Apparently, we have now found out that Arrow decided to re-fly the LiDAR on 7 August 2022 when we had had rain of 14mm again on 6 August 2022. This again resulted in a meaningless set of data for our flat floodplain regions that once again had ponded water areas being measured.

InSAR (Interferometric Synthetic Aperture Radar) has been collected now for many years.

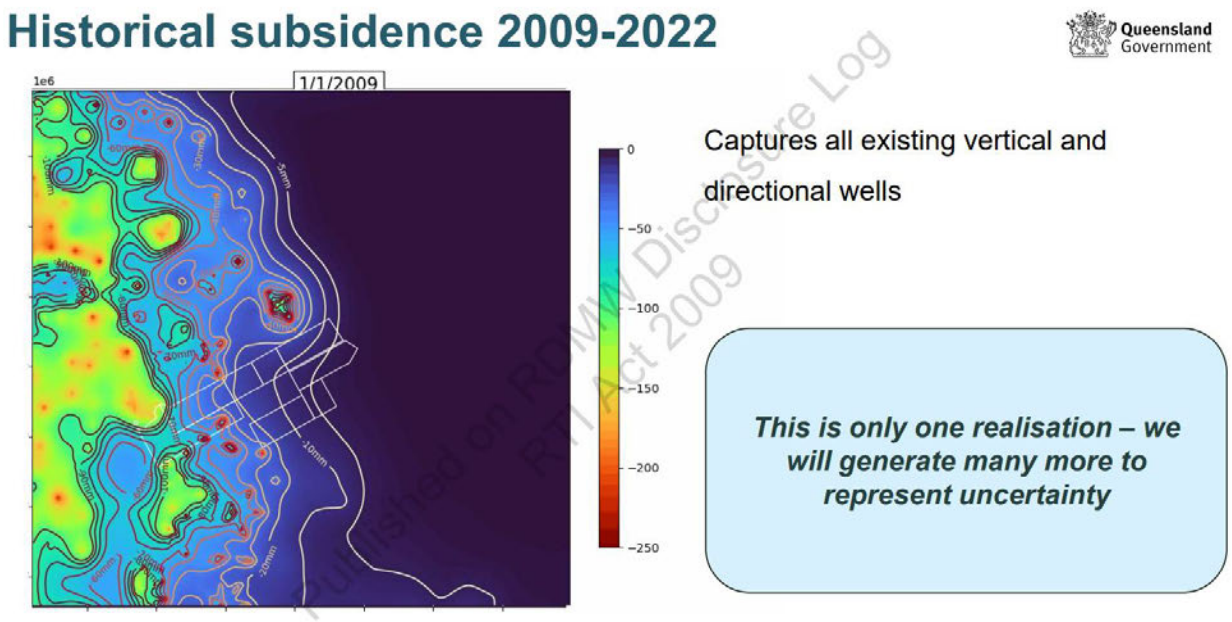
OGIA InSAR data collected from 2017 to 2022 confirms that subsidence is real and has impacted the flattest of my nondraining cropping fields. Single vertical CSG wells developed in 2009 are now having far reaching impacts and more wells are still being commissioned closer to our flat floodplain PAA. The image below portrays the regional waves of subsidence continuing across a floodplain.



The initial CSG development consisted of single vertical CSG wells on land that landholders – either voluntarily or under duress with threat of Land Court –had entered into CCA agreements with the tenure holder.

The onshore gas industry evolved to introduce deviated or directional drilling of CSG wells. This has created a plethora of additional issues and has hastened the progress of the subsidence now occurring.

Below is an image of InSAR data showing OGIA modelled CSG induced subsidence. The property outlined in the right of the image is our property that has been involved in the OGIA Pilot Farm study of CSG induced subsidence.



Subsidence, we are now informed, started on our PAA floodplain field in 2018 and has already progressed across all our fields. The image above is now showing the InSAR CSG induced subsidence that is occurring rapidly and in tight concentric circles around the deviated wells now in production. The deviated well pad just to the north of our marked fields was turned on in 2018 and shows areas of 200-250mm of CSG subsidence. I expect these waves have now advanced in 2024 and may well be why our irrigation field on the northern edge closest to this deviated well is now not draining well. Subsidence is happening now. We are the third irrigation farm to experience this damage. **Remember this - InSAR data is for regional scale to depict a trend and not for compensation at a farm field level.**

The changes predicted above are still only starting and would be hard to prove -as we have no baseline for the years 2016-2018 when an appropriate baseline should have been collected. We have a baseline collected in 2022 taken by a surveyor of our choice but now must wait for further destruction to occur over a period of years to enable us to have the same qualified surveyors come back and resurvey. Only then can we be

confident that we can prove damage that we know exists. Every year we are seeing wet patches that now seem to be taking longer to drain.

OGIA have presented the above as an animation to the Condamine Landholder Reference Group (CLRG) of which we are a members and the Government Departments responsible for developing the MEROLA Bill 2024. The above information should have shocked government into taking steps to halt this damaging development but instead we find that they are attempting to push through a poorly constructed bill by people with very limited firsthand knowledge of the true impacts CSG induced subsidence is actually causing to landholders.

A Subsidence Compensation Agreement (SCA) is not the answer. Government and industry have completely misread just how devastating this CSG induced subsidence is revealing itself to be. As an impacted landholder I would be very reluctant to sign any compensation agreement that would undoubtedly limit compensation where the full impact of the devastation is yet to be realised. From past experience any settlement from Arrow Energy is preceded by the below wording.

"Parties enter into a deed of release, releasing Arrow from any further legal claims relating to the matter".

Under NO situation would any informed landholder be prepared to sign such an agreement in relation to CSG-induced subsidence.

The tenure holder – in this case Arrow Energy – should not be allowed to force us into a court situation before the landholder has had time to collate his evidence in relation to CSG induced subsidence. Any premature decision locking a landholder out of later claims as CSG subsidence continues would be financially devasting.

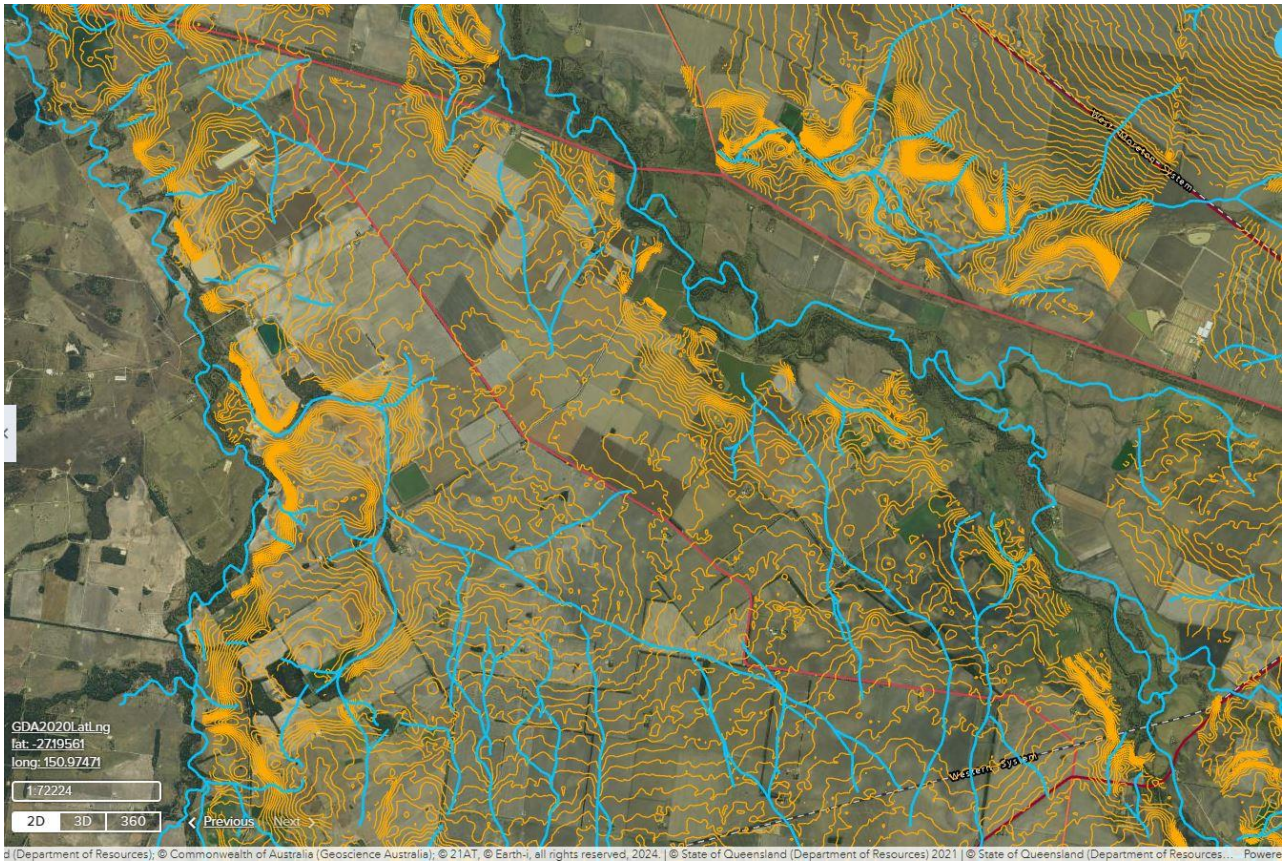
Several years ago, the 'Make Good' for Water Bore provision was introduced to reduce the onus of proof that due to CSG industry, landholders were losing Walloon coal seam water in their Stock and Domestic water bores. Now if a Stock and Domestic Water Bore is listed as an Impacted Water Bore (IAA) the tenure holder must automatically Make Good that water.

Any subsidence across a flat floodplain of Category A or Category B classification land should automatically be able to claim compensation for any land levelling and crop production losses encountered. The landholder should not be forced to collect proof for years before being able to go to court.

The MEROLA Bill 2024 should be addressing this deficit in existing legislation by further concluding that Category A and Category B classification of land should have further CSG extraction **ceased** until the impacts are more fully understood and a realistic compensation situation is able to be reached. Under proposed legislative changes this is never able to be achieved.

The OGIA Pilot Farm Study is attempting to derive a drainage map in order to recognize CSG subsidence susceptible areas. The Qld Globe presentation included below

already shows these susceptible areas as well as water flow across our flat floodplain. The direction of flood flow is critical to us being able to fill our storages. The water shed may well be changed by as small a change as 100-200mm of CSG induced subsidence impacting our 1,000 megalitre infrastructure water storage dam. MEROLA Bill 2024 has not addressed this huge issue.



Contour lines of our area from Queensland Globe display well the properties with poor drainage likely to be impacted.

Our subsidence issue has reached a critical period in time. Landholders now realises they have NO data able to stand up and claim damages. Landholders are forced to wait and undergo further irreversible subsidence, suffer the waterlogging damage and missed cropping opportunities to again resurvey to then get compensation. Unfortunately for those of us at the flattest non draining sections of our floodplain this is financially devastating. The MEROLA Bill 2024 does not address the issues presently being experienced by those of us now sinking.

Subsidence and Ringtanks.

The current monitoring and data collection due to financial constraints of both OGIA and GFCQ, do not incorporate any information in relation to the monitoring of ring tank infrastructure. This has been an oversight in the whole monitoring program as the catastrophic impact subsidence shall have to our irrigation system by way of damage to our infrastructure of the dam.

The MEROLA Bill 2024 does not recognise the impact CSG induced subsidence is to have on our large water storage dams. One million litres of water are contained in our 1,000 megalitre water storage dams. Experts in irrigation storage "Groundwater Imaging" have been engaged by us privately to undertake baseline studies. As stated by Groundwater imaging

'*Once the underground water is removed, the water dome of support under the ground no longer exists for the base of the dam or ring tank and water can seep through the bottom of the storage dam*.'

CSG subsidence is an issue for the ring tank wall infrastructure. Our 1,000 megalitre ring tank is located close to a public road and if it were to experience movement resulting in a catastrophic structural wall failure it would pose an unacceptable risk to the public. All these issues have been highlighted to Arrow Energy and Government. Arrow Energy claim the trajectories of the deviated wells yet to be drilled in close proximity to these ring tank walls can not be changed. None of these proposed deviated wells originate from my land but shall seriously impact my freehold land and its above ground infrastructures.

The viability of our farming business is threatened by not only the ring tank infrastructure being damaged by CSG induced subsidence but also by the potential change in water flow across our floodplain. MEROLA Bill 2024 addresses none of these essential issues.

Serious Conflicts of Interest

Under Freehold title, if challenged legally, all infrastructure on and under Freehold land that has volumetric title must be able to be removed at the end of the tenure. The future drilling of any water bores into deeper aquifers, especially now that CSG industry has drained the upper aquifers, would need to be drilled deeper than the deviated abandoned gas infrastructure. These CSG deviated wells can never be removed and have no agreement in place to exist in the first place.

The urgency in racing an ill formed MEROLA Bill 2024 through parliament is irresponsible and may mislead landholders into SCA. The resource industry shall never support landholders by way of MERCP Act compensatable effects as we are presently realising.

Our land is PAA so it is essential that Department of Agriculture is the Department administering the interests of the matter to be protected. Only then if Department of Agriculture is overseeing are any of our interests likely to be protected and preserved.

Gasfields name change to Coexistence Queensland states the obvious that the CSG industry is to progress at ALL costs.

The MEROLA Bill 2024 places Department of Resources in charge of administering any attempt to implement a 'Make Good for CSG induced subsidence' and is therefore fundamentally flawed by the HUGE conflict of interest that exists.

The tenure holder shall do everything in its power to ensure that any investigation carried out into existing CSG subsidence shall never find the resource company at fault. Two landholders have now had investigations carried out by Arrow Energy against claims of CSG induced subsidence. As expected, Arrow Energy determined that the subsidence issues experienced by these two landholders was nothing to do with their CSG activities. Tenure Holders shall never admit liability whilst allowed to carry out their own investigations.

The landholders have been left with having to fund their own remediation expenses and actions. Please take the time to view the below link where one of these impacted farmers is able to explain the process we shall all have to undertake to rectify a problem not of our creation.

https://youtu.be/ilq2CHiwtPk?si=JUI_768fZtVm2rE2

This is a huge problem and is about to unfold into a mega catastrophic financial nightmare.

The MEROLA Bill 2024 has enabled the tenure holder to carry out the baseline data and investigation into CSG induced subsidence claims. This was and is never going to work.

Dot point Summary:

- CSG induced subsidence is impacting flat PAA areas now.
- Impacted farmers are presently forced into outlaying huge funds to remediate.
- Gasfields Commission is not independent and exist to facilitate CSG development.
- Department of Resources are not impartial and must not be the Department to manage CSG induced subsidence in PAA areas.
- Impossible to impart a lifetime of knowledge relating to floodplains to an advisory committee in 2 three hours session.
- MEROLA Bill 2024 was initiated with positive intent but fails to address real issues.
- An Amendment Bill of such importance requires considerably more time to address all the issues relating to CSG induced subsidence.
- Legislation presently exists to protect PAA land however government have no compliance team to enforce this legislation.
- Re-inventing legislation that allows Tenure Holder to still 'self-assess' or 'compliance assess' themselves is no different to what exists now.
- Until the appropriate science exists, landholders will refuse to sign a SCA.
- Contract Law prohibits the signing of any agreement under duress.
- Human Rights Act 2019 Section 18 is invoked by forcing Landholder to undertake additional work by way of monitoring and remediation.

Conclusion

Up until now, landholders without a CCA have had NO or very little input into what is occurring under, and now by way of CSG induced subsidence, on their freehold land. Government pushes coexistence but the forcing of landholders into Subsidence Management Agreements when the science, technology and remediation steps have not been addressed is completely unacceptable.

Contract Law clearly states 'any party compelled to enter into the contract against their will, then invalidates the contract or agreement.

People are not being placed ahead of the progression of the CSG industry over our vulnerable and irreplaceable PAA flat floodplain areas. The present inability to provide remediation answers to CSG induced subsidence is weighing heavily on both the financial and health aspects of our farming businesses and its individuals.

Mineral and Energy Resources and Other Legislation Amendment Bill 2024 finally recognises the CSG induced subsidence problem so long denies by industry but still provides no answers to the problem. Assessment of Category A and Category B susceptible land is essential. Industry and government fail to realise that the halting of progress of further CSG wells under this land still will not stop the CSG induced

subsidence that has already begun. CSG extraction must therefore be halted for kms around these sensitive zones.

At present there are two still unapproved RIDA 's. If CSG companies could provide the answers required to satisfy the requirements - placed by DAF to protect PAA – and that are present in these RIDA's then there would be no need to pursue the SMA Land Court scenario. As the CSG companies cannot provide the answers required it is an admission that they do not have the technology or ability to manage and remediate the CSG induced subsidence impact presently occurring on our PAA floodplain.

The fund threshold mentioned for an authority of $600m is a completely unrealistic figure when considering the remediation and compensation costs associated with CSG induced subsidence. Repeated land levelling now that subsidence on our flat floodplain has started shall be ongoing. If development is allowed by government to continue this figure shall amount to billions of dollars. Once tenure holders have left the area, CSG subsidence will continue leaving Government to manage remediation of this mess.

This MEROLA Bill 2024 is a huge bill and shall be responsible for determining the future productive capacity of our irreplaceable floodplain Priority Agricultural Areas. It needs to be understood well and if issues raised are not understood please do not hesitate to contact us.

I thank the Committee, Committee Secretary, Assistant Committee Secretary and Committee Support Officer for their time in carefully considering this submission in relation to the MEROLA Bill 2024.