Mineral and Energy Resources and Other Legislation Amendment Bill 2024

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My name is Stuart Armitage, a third-generation flood-plain irrigation farmer in the Cecil Plains area of the Darling Downs. I farm here with my wife and we are now transitioning to the next generation who also love and appreciate the land on which we live and work. Over the past 15 years, I have had extensive interaction with Government departments, Agriculture lobby groups and the Resource Industry and I hereby make to you, my submission.

This is definitely not my happy space to be drafting this submission in the middle of our very busy cotton-picking season with threatening showers every day. Nevertheless, I feel it must be brought to the notice of the committee that many sections of this MEROLA Bill are a blatant act to legislate the resource industry to forge ahead despite the risks to the landholder of CSG-induced subsidence on our PAA land and associated economic hardship brought about by the degradation of our farms. The words in the Explanatory Notes – '*The focus area includes reforms to reduce regulatory burden and streamline compliance and assessment activities* ***for resource authorities'*** gives me a sense of real frustration about this whole process.

When the Regional Planning Interests Act of 2014 was drafted, I was a member of that committee. We saw the need to protect Queensland's areas of regional interest including our best agricultural lands from the widespread and irreversible impacts of resource mining. If this RPI Act had been administered and appropriately enforced as resource companies entered onto the PAA and SCA of the Condamine Floodplain, then we wouldn't be in the situation we are today. They (resource companies) exploited exemption loopholes with no checks and balances from the relevant Departments and self-assessed their own oversights.

Our PAA land has self-mulching black clay soils, favourable rainfall, close proximity to markets and the port of Brisbane and precious groundwater below to sustain in times of drought. This land is scarce in Queensland making up just 2.86% of the State and rightly should be protected for future food and fibre security needs.

Our region will never be better off or mutually benefit from the introduction of CSG mining. I was asked yesterday ... 'but wouldn't the money paid in compensation be a great thing?' My years of farming are coming to an end but I cannot sit down and say nothing about what our next generation of farmers are telling me.

Many of these young people have degrees and have made careers outside of farming that in today's world are well paid and much sort after. But they chose to come back to their family farms because they love the energy and excitement they feel in tending our precious soils, planting and caring for seeds to yield a bountiful harvest and sustainably caring for the land that will produce an income and a lifestyle for generations to come. What they don't want, is to have to go through a costly and demoralizing legal battles to sort out a CSG-induced subsidence disaster that's happened on their farms, has affected their yields and they had no control over because the resource industry has all the legislation on their side.

Farmers are being asked to *'take all the risk up front and then when it happens, try to prove it in court and if you're one of the lucky ones, wait for a payout from the resource company to fix it*! I cannot pass on this horrible legacy to our next generation of passionate farmers in my community and will continue to stand for farmer's human rights!

Being floodplain irrigation farmers, we are very aware of any changes in our fields because they are naturally very flat. We have had to deal with these issues from time to time as a result of flooding, where standing crops have altered flow paths and some soils have been shifted. This results in poor drainage, inability to flood irrigate and subsequent poor yields and economic losses. We see the

damage and we book in an earthmoving contractor to come and repair the damage. This can be quite a process and can result in fields not able to be cropped for a year or two depending on the weather at the time but we get it done as quickly as possible.

CSG-induced subsidence is something we have been told by OGIA we can expect to happen on our farm and could be up to 200mm in some instances. By the time we prove the subsidence has been caused by the resource company, and then we wait for contractors who will be snowed under with all the other subsidence issues on neighbouring farms ... how many crops will be missed? No amount of money will compensate for this degree of damage to our farming enterprise. Our inability to produce crops of the calibre that our farming community are well-known for, will be financially devastating not to mention the toll on mental health for our farming families.

We have been told; subsidence will continue to change over the years of CSG Mining. No one knows how long or what the real impacts will be. Sorry, but adaptive management is an unacceptable way to handle this issue that poses such awful risk to our livelihoods and for the generation to come. Until I see the resource companies take responsibility for already impacted farmland from CSG mining, they have no Social Licence to come into our beautiful farming community of Cecil Plains.

Subsidence Management Framework in the MEROLA Bill

First and foremost, why is this proposed to be administered by the Department of Resources, where is the Department of Agriculture in all of this? This is totally unacceptable as the Dept of Resources has a vested interest only in resources and has no idea about agriculture and how it must be managed for the good of all Queenslanders. The Department of Agriculture must be responsible for administering this SMF as it concerns impacts inflicted upon the agricultural industry. Similarly, this would fit in with impacts to underground water etc which is administered by Dept of Environment, Science and Innovation.

DAF must be the department responsible for the administration of Chapter 5A and Schedule 1A of the MEROLA Bill 2024 including the responsible party for all facets of risk assessment and subsidence management, including the development of technical guidelines and the regulatory oversight required.

Self-Assessment by Resource Tenure Holder with NO details of what that assessment will be on

The proposed framework again leaves the fox in charge of the hen house like before! Why is it a good idea to have the tenure holders self-assessing and the landholder having to live by that assessment. We had the experience of a resource company do a base-line bore assessment on all our irrigation and domestic water bores. The completed assessment was sent out, all ticked off and only one out of the 7 had a standing water level taken! Apparently, it was too hard so they didn't do it! How many other base-line bore assessments have been done with incomplete data and who's checking? To have the Tenure holder also do 'Land Monitoring, Farm Field Assessments and even choosing their field Auditor is totally unacceptable and non-transparent. This must be changed! If we don't have complete base-line assessments being checked thoroughly, how can we prove water levels or fields have dropped and force liability and consequently 'make good' on the resource company?

No Up-Front Security for Landholders who take all the Risk

Despite knowing the subsidence risks associated with CSG Mining beneath our farmland, the Qld Government appears to feel comfortable about throwing farmers under the bus when it comes to subsidence impacts with no security being given upfront. This is not how farmers do business and

perhaps our Banking partners may have something to say about their clients signing up to something so risky. No other business would sign up to this situation of *'we'll see how it goes but sorry all the risk is on you to prove'*. This is a disgraceful treatment of Australian landholders by our government who won't say no to big multi-national companies seeking to plunder our precious resources to the detriment of valuable food producing farmland. This is not co-existence.

Co-Existence

True sustainable co-existence can be achieved but not by legislation. When both parties get something from the other party that they need/want, then co-existence can be reached and that does happen in some parts of our region for those who are happy to be compensated monetarily for the risk they are taking. For some of us tho, where the risks of subsidence is very high, no amount of compensation will be worth the damage sustained to our land. If the Queensland Government are making sure they aren't liable for any risk from damage sustained to our land, why should we? There is absolutely nothing that a resource company can offer us that will allow us to take that risk either.

Regarding renaming Gasfields Commission 'Coexistance Queensland'; they have never been able to show how true coexistence looks like so maybe that would be their first hurdle to jump. What does a resource company offer us that will compensate for their being on our land and the risks associated with CSG-induced subsidence.

Overland Flow Path Changes from CSG-induced Subsidence

It's an Interesting scenario here that overland flow doesn't get a mention in this Bill. It has been recognized in several reports by OGIA and it is blatantly obvious subsidence would change overland flow patterns on our floodplain in a very big way. If it's not mentioned as a risk in the legislation when assessing subsidence, where do landholders go when their very valuable water infrastructure is left stranded or flooded when changes occur to the flow paths of water on our floodplain?

Overland Flow comes under the jurisdiction of the Murray Darling Authority which is a federal Government body. Where do we see any consultation with that particular body about the changes that subsidence will incur on our floodplain. There will be repercussions for everyone in this and no one drafting this Bill has given any thought to the detriment it will have on environmental flows.

Please don't mess with our natural landform, there is no end to the problems it will cause and worse still there will be no answers once the damage is done.

Human Rights Act 2019

This Bill violates this Act in a couple of different aspects. *'A person must not be arbitrarily deprived of the person's property' Once* our fields are subsided as a result of CSG Mining, we will not be able to make profitable use of our land, this is unjust and take away our property rights.

Regarding *'The right to freedom from forced work under section 18', Minister* Stewart states the Bill 'does not impinge on landholder human right because no penalty may be applied if a landholder does not perform the work'. What he fails to add is that *'if the landholder does not perform the work*', (preparing to navigate a complicated, arduous and fraught-ridden framework) they would possibly then bear the consequences of NO farm field assessment, NO subsidence management and NO compensation for damage and financial loss from CSG Subsidence'. Consequently, we as landholders WILL BE FORCED TO PERFORM WORK to try and mitigate the economic catastrophe that would be our lot if we sat on our hands and refused to do that work.

In conclusion, I would like to summarise with some key issues that we as landholder are extremely concerned about with this MEROLA Bill.

- The MEROLA Bill is a very complex piece of legislation that is being rushed on us before the science and research supporting it is complete
- The short time-frame for landholders to peruse the Bill in the middle of their busiest harvest time is penalising us by not being able to consider it or seek expert advice
- The Bill has critical information missing regarding farm field assessment and what those details will be?
- A true risk assessment has not been done as to the economic and environmental damage that CSG-induced subsidence will cause?
- The amount of self-assessment allowed in the management framework to be undertaken by the resource company is ludicrous?
- This Bill is written by lawyers for lawyers - is too arduous and complicated to be undertaken by farmers with no legal expertise against multi-national resource companies with a bevy of lawyers proving they have no liability in these matters
- This Bill is legislating the resource industry to forge ahead, cause damage to prime laser levelled irrigation land and leave farmers with ALL the risk of proving the damage
- This Bill does NOTHING to protect our precious land from CSG-induced subsidence!
- Landholders' human rights will be violated due to being forced to work to prove subsidence has happened on their fields
- This Bill is designed to isolate and intimidate family farmers and the horrible end result will in many cases be depression and rural suicide!

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