

04/11/11

The Research Director
Environment, Agriculture, Resources and Energy Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Sir/Madam,

RE: Call for submissions, Strategic Cropping Land Bill 2011

My name is Rebecca McNicholl and I am writing to submit my comments on the proposed Strategic Cropping Land Bill 2011 (the Bill) for consideration by the Environment, Agriculture, Resources and Energy Committee (EAREC).

I thank the EAREC for the opportunity to submit comments, and congratulate the State government for taking the significant step of introducing legislation intended to safeguard our precious high productivity cropping land from permanent alienation.

I do not, however, believe that the current framework of the Bill will deliver outcomes that meet the Bill's objectives of (a) protecting land that is highly suitable for cropping; and (b) preserving the productive capacity of that land for future generations (s3, the Bill). I attribute this lack of faith to the Bill's failure to recognise that, though significant, soil and landscape characteristics are not the only factors determining the productivity of cropping land.

Productive output, regardless of the nature or type of industry, has never been purely a function of capital (land, in this case). Productivity is, at a minimum, a function of capital, labour, investment in and adaptation of technology, human and social capital. This equation applies as much to the agricultural industry as it does to any other. By not introducing legislation that contains criteria that attempts to more accurately reflect a broader range of factors that determine agricultural productivity, the State government risks leaving a significant percentage of highly productive cropping land unprotected from permanent alienation or diminished productivity.

SCL Assessment Criteria

Farmers in the Kingaroy area are currently coming to terms with this concerning reality. As discussed by the Kingaroy Concerned Citizens Group in their letter to all members of parliament (29/10/11), a number of farmers are faced with the cruel irony of not being afforded protection to their more productive land simply because of an arbitrary strategic cropping land (SCL) slope criterion factor. The Bill in its current form only affords SCL protection status to their land if it scores a slope factor equal to or less than 5% (Division, 3, Part 2, Schedule 1, The Bill). These farmers, however, employ farming practices that not only allow them to sustainably farm land with a slope factor of 5%-8%, but also to produce crops that have a yield **equal to or higher than** land afforded protection under the Bill by meeting the $\leq 5\%$ slope criterion. If the slope criterion for the farmers in this region were changed to a percentage that was more reflective of the success of their sustainable farming practices (e.g. 8%, as proposed by the Kingaroy Concerned Citizens Group), the

protection afforded to land producing similar yields would be increased from a meagre 37% to 95%. If the State government is serious about achieving the Bill's objectives and protecting our best cropping land, it would at the very minimum extend the SCL assessment criteria to include an assessment of cropping productivity achieved through the use of sustainable farming practices on the soils in question. I acknowledge that such an extension of the assessment criteria could potentially make the assessment process more complex and costly, however, when it comes to a difference of up to 58% in the level of protection, and capitalising on the investments made over recent years by State and Federal governments alike in boosting the sustainability of farming practices, I truly believe it is worth it.

Definition of Permanent Impact

In addition to the assessment criteria, the Bill's definition of 'permanent impact' (s14, the Bill) also fails to protect the productivity of our best cropping land by effectively ignoring the contribution of human and social capital to the productivity equation. In its current form, the Bill would allow developments such as coal seam gas fields to proceed on SCL in a protection area (provided there is enough proof that the land could be rehabilitated to its pre-development condition) if the development only impeded cropping for less than 50 years. The coal seam gas industry suggests it will be in operation in Queensland for approximately 30-40 years, and over that time will install up to 40,000 thousand wells#. This means that **communities** of farmers, pastoralists and rural business owners will be attempting to run their businesses while a patch work of coal seam gas wells overwhelms the landscape, significantly interfering with or impeding not just cropping activities. In the face of this eventuality, what incentive does the government offer to these farmers, pastoralists and rural business owners to stick around over the 30 years of gas extraction and maintain the human and social capital, aspects that have been fundamental to the productivity of their operations, that have taken many generations to grow? As I perceive it, the Bill offers next to no incentive as farmers on SCL are still left with a sizeable degree of uncertainty as to the future viability of their operations. Let us not allow the situation to arise where in the year 2044 significant amounts of land with food production potential once more become available for agricultural use, but we as a society lack the know-how, infrastructure and will to harness its productive potential. Soils alone do not grow crops.

Protection of productive capacity requires protection of water resources

Another essential input to the productivity equation that has been overlooked by the Bill is water. As discussed above, the coals seam gas industry proposes to develop an extensive network of coal seam gas wells throughout Queensland's agricultural production zones in which SCL is located. Much of the land in these zones owes its productivity to irrigation infrastructure and access to reliable sources of surface and ground water. Even if coal seam gas developments could proceed without interfering with or alienating land SCL, the risk of these developments causing a significant decline in the productivity of SCL is high given the uncertainty surrounding the accumulative and long-term impacts of coals seam gas production on Queensland's ground water resources.

Recommendations

For the reasons discussed above, I do not believe that the proposed Bill provides adequate protection to our best cropping land from the threat of permanent alienation or diminished productivity posed by mining and other forms of development.

Protection outcomes could be greatly enhanced by making the following changes to the legislation:

1. Expanding the SCL assessment process to take into consideration the recently recorded productivity of land (i.e. amount of crop yielded per area of land) and the sustainability of farming methods employed in that production when determining if land should be afforded protection under the Bill;
2. Removing the words 'for at least 50 years' from subsection 1(a), section 14 of the Bill so as to provide protection for the human and social capital that is so crucial to the productivity of our best cropping land; and
3. Amending the Bill to prevent coal seam gas developments in Queensland's most productive agricultural zones.

Thank you once again for the opportunity to provide comment on the Bill. I look forward to reading the outcome of the review process.

Kind regards,

R. McNicholl 04/11/11

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