

Submission to
Environment, Agriculture, Resources and Energy Committee
Queensland Parliament

Review of the Strategic Cropping Land Bill 2011



November 2011

Friends of Felton Inc. <http://www.fof.org.au/>

Introduction

Friends of Felton (FOF) is a community group based at Felton on the inner Darling Downs. We formed in February 2008 in response to a proposal to establish an open-cut coal mine and petrochemical plant in the Felton Valley, a closely settled highly productive food-producing area with great environmental importance. We welcome the opportunity to provide feedback on the Strategic Cropping Land Bill.

FOF commends the Queensland Government for taking the initiative to implement legislation to protect cropping land from development. To our knowledge, this has not been done before in Australia, and therefore credit must be given where it is due. It is not our intention to appear ungrateful, but it must be pointed out that the legislation before Parliament is a greatly watered-down version of that which was envisaged in the initial policy document released for public comment at the start of this process. While the trigger maps showing where Strategic Cropping Land (SCL) exists cover around 4% of the State, the convoluted process outlined in this bill to identify SCL may only protect 1% of the State from open-cut mining, and it appears Coal Seam Gas development will be allowed everywhere, as a result of the definition of 'permanent alienation' of the land.

FOF has provided detailed submissions to the Queensland Government during the consultation period before the drafting of the Bill. While we are disappointed many of our suggestions have not been incorporated in the Bill, it is not our intention to revisit them here. The Bill has been introduced to Parliament, and therefore we will use this opportunity to draw the Committee's attention to particular aspects of the Bill that we feel need urgent amendment.

Purposes of the Act

Section 3 of the Bill states:

The purposes of this Act are to—

- (a) protect land that is highly suitable for cropping; and*
- (b) manage the impacts of development on that land; and*
- (c) preserve the productive capacity of that land for future generations.*

This submission concentrates on three amendments that would improve the ability of the Bill to serve its stated purposes. These concern the proposed minimum land area and slope criterion, and the need for buffer areas surrounding developments to protect good cropping land.

Proposed amendments

1. Minimum Land Area

Section 62 states:

The minimum size, for land or a part of land, is the following size for the following zones:

- (a) for the Western Cropping zone - 100ha and at least 80 m wide;*
- (b) for the Eastern Darling Downs zone - 50ha and at least 50 m wide;*
- (c) for the Coastal Queensland zone, Granite Belt zone or Wet Tropics zone - 10 ha and at least 30 m wide;*
- (d) for a zone prescribed under section 35(1) - the size prescribed under that regulation.*

In our opinion the minimum size should reflect the land area required for a viable food-producing enterprise in the zone in question. In our opinion, the *minimum size* proposed for the Eastern Darling Downs zone (50 ha) is much too large.

In recent years this area has witnessed a steady increase in the production of vegetables as a result of

- increasing demand due to rising population
- a reduction in land availability due to urbanisation in SE Queensland
- a reduction in availability of irrigation water in traditional horticultural areas such as the Lockyer Valley
- rising salinity in irrigation water in traditional areas
- cooler climate allowing vegetables to be grown 'out of season' eg summer carrots

The importance of the Eastern Downs zone for horticulture is likely to increase as the climate changes in the future.

50 ha is a very large area for an intensive horticultural business. For example, a Felton district farmer currently leases a 35 ha paddock to a lettuce grower who produces 4 million lettuces per annum from the paddock (Figure 1). If, for whatever reason, the land surrounding the 35 ha paddock is not classified as Strategic Cropping Land (SCL) under the present Bill, that paddock would not qualify for protection as SCL. This seems to be an anomaly in the Bill. **We therefore propose that the minimum size for the Eastern Downs zone be reduced to 10 ha, in line with the Coastal Queensland, Granite Belt, and Wet Tropics zones.**



Figure 1 35 ha lettuce paddock, Felton

2. Slope criterion

Criterion 1 for the Eastern Downs zone is proposed to be 5% or less. We feel this is an arbitrary figure which has been set too low. The Eastern Downs zone is characterised by a number of highly productive valleys running westwards from the Great Dividing Range, including those at Felton, Pilton, Goomburra and Killarney. By nature of their geology the majority of land in these valleys is sloping to a certain degree. High yielding crops are grown consistently on land with a slope greater

than 5%, and modern farming techniques such as zero-tillage and controlled traffic farming prevent erosion that was an issue in the past. Vegetable growers in the area often prefer sloping land because it eliminates waterlogging and allows crops to be harvested in wet weather. There are many examples of horticultural production in the area on slopes greater than 5%, including lettuces at Drayton and potatoes at Killarney. In some areas, land with a slope greater than 5% will have shallower soil than less steep land, but as there is a separate criterion for soil depth there is no need to reject it as SCL for that reason. We are aware that farmers in the South Burnett share our concerns about the slope criterion for their region. **We therefore propose that Criterion 1 for the Eastern Downs and Coastal Queensland zones be increased to 8% or less.**

3. Buffer Zones

There is no mention in the Bill of buffer zones. We feel this is a serious omission. One only has to look at the experience of the Hunter Valley in New South Wales, where the rapid expansion of coal mining has showered the surrounding area in dust and fumes. Dairy farms, vineyards and horse studs have been forced to shut down due to the externalities inflicted on them by their mining neighbours. The Bill as it stands appears to suggest that an open-cut coal mine can co-exist happily across a fence from a paddock growing top quality food. This is simply ridiculous. **We propose that buffer zones should be established around areas of SCL in proportion to the likely impact of the proposed development.** For example, a proposed development such as a transport depot would have a low impact on the surrounding area, and might only require a buffer zone of 50 m. On the other hand, an open-cut coal mine would have a large impact and pose a significant contamination risk, and should require a buffer zone of 10 km.

Conclusion

In conclusion, while we applaud the establishment of this legislation, we believe that it must fulfil its promise to adequately and appropriately protect good cropping land as a fundamentally valuable and irreplaceable asset.

Thank you for the opportunity to comment.

FOF would also welcome the opportunity to appear before the Committee at the public hearing. Our contact details are:

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