



FUTUREFOOD QUEENSLAND

Response to the Strategic Cropping Land Legislation

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

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Introduction

Futurefood Qld (FFQ) was formed by a group of Queensland farmers and businessmen and women three years ago to address the loss of prime farming land to the effects of large scale coal mining in Queensland.

FFQ has played an active role in lobbying for, advocating for, and working with Government on the new Strategic Cropping Land Legislation.

At all times the Chairs of FFQ, Messer's Geoff Hewitt and Charles Wilson have maintained a strong and consistent message to Government.

Mr Hewitt represented FFQ on the Governments' Stakeholder Advisory Committee.

FFQ would like to acknowledge the State Governments efforts to get the first legislation of this type in Australia. Whilst there are some areas of the legislation that FFQ are not in agreement with, the fact that the legislation is in place will secure at least some of the States valuable farming resources.

FFQ Key principles:-

Land deemed "Strategic Cropping land" (SCL) should:-

1. Be identified by an on-going mapping process throughout the whole State. We believe that 2% of Qld would qualify as SCL.
2. Be protected to ensure it is available for future food production
3. Along with all mining projects be submitted to a rigorous planning process. This process would create a master plan that identifies "key assets". The plan would maintain these assets and return them to the mined landscape in original form or re-created form when mining is finished.
4. If mined should be returned to its original food producing capacity
5. Be rehabilitated (if mined) on an on-going basis and not be left to rehabilitate until the end of mining. Mining licence should be suspended if works are not carried out to agreed Government specifications
6. Be protected on prime alluvial floodplains close to water. No open cut mining should be allowed on floodplains, or under rivers and creeks.

The Legislation

Protection Area

FFQ members are generally in favour of the legislation in respect to the land covered in the Protection area.

The Southern Qld map contains in general the main farming areas at risk and will provide for long term protection.

The Central Qld map is a good start for that region, however there are many smaller areas in Central Queensland that need better protection than that provided by the “management area” part of the legislation.

Re: - Division 4: Provision of future environmental authority on mining leases relating to EPC 891(p161s283)

We are concerned and object to the transitional arrangements granted to holders of EPC891 (Springsure Creek Coal Pty Ltd). Their Terms of Reference for the Impact assessment Statement was delivered outside the 31st May exclusion timeframe.

This is totally unacceptable to the local community, and does not do justice to the intent of the legislation.

We urge you to dismiss this section of the legislation.

Management area

The parts of the State not in the Protection Area are in the Management Area.

We believe that the protected area should be expanded to cover the whole State and over time the “management areas” would be phased out. This would require department officers to map areas now outside the mapped protection area.

We believe this would give a higher degree of security to the areas described now as in the management areas

The Policy states:-

The Government considers that the best cropping land defined as Strategic Cropping Land is a finite resource that must be conserved and managed for the longer term. As a general aim, Planning and approval powers should be used to protect such lands from those developments that lead to its permanent alienation or diminished productivity

We believe the protection area complies with the policy intent (above) however the management areas do not comply.

FFQ believe the management areas should be phased out as soon as possible. It contains provisions that allow proponents opportunities to proceed with their developments destroying SCL while paying for offsets and mitigation measures.

Why should the management areas be treated differently to the protected areas? If the soils are considered as SCL then they should be offered the same strong legislative security as offered in the protected area

Re:-Chapter 5 Part 3 Strategic Cropping Land mitigation Fund. Pages 86- 88

Should the committee continue to support mitigation and offsets, FFQ then urges the committee to strengthen the legislation to ensure funds held by the mitigation fund are used exclusively for works that benefit cropping land and enhanced production. FFQ is concerned that as the legislation sits at present the funds could be returned to treasury and not be used for the purposes designated.

Recommendations

- 1. The Committee support the Protection Area section of the legislation(Protected area) and the criteria defining SCL**
- 2. The Committee supports a change to the legislation that phases out the Management area. When mapping is completed, all SCL should be included in the Protection area.**
- 3. The committee supports a proposal to strengthen the protection of lands in the management areas by making conditions the same as the protection areas.**
- 4. The committee support changes to the legislation to ensure monies from the mitigation fund are used exclusively for the benefit of cropping lands**
- 5. That the committee strikes out section 283 of the legislation dealing with Springsure Creek mining lease EPC 891.**

PLANNING

FFQ believes that a visionary planning process should be adopted towards the mining/ farming interface in all mining operations.

Currently Natural Resource Management Groups (NRM groups) throughout Qld do have regional plans that are rigorous in nature, consistent in design to legislated Statutory Regional Plans, and have community acceptance.

These plans identify “key assets” in their catchments. All members of the community are keen to protect these assets and the Federal and State Governments hold these NRM groups to account for their activities.

One must seriously question why the mining industry can operate outside these community plans.

There appears to be a disconnect between Regional Planning, Mining Environmental Impact assessments and Community expectations that needs to be addressed.

If Mining companies were to “master plan” their mining sites in consultation with the community, NRM groups and Government before operations commenced to create a plan for a landscape after mining that fits in with community expectations, I am sure there would be less angst and better outcomes in regional communities.

In many areas of Europe, and the USA, mines are operated and the landscape is left in many cases better than before.

Recommendation:-

That the legislation provide for initial landscape planning in consultation with NRM groups, Community and Governments to provide master planning for the landscape after mining has been completed.

Subsidence

Mining companies and the Government officers are of the opinion that if an open-cut mine proposed on deemed SCL can operate underground then damage to the SCL will be minimised.

Experience at “Gordon Downs” Station near Emerald on the Central Highlands shows that this is not the case. The land above “long wall” mining has subsided to such a degree that its only use now is for grazing.

The Legislation allows for underground mining under SCL

Recommendation:-

The legislation has to be very clear that if effects of underground mining do occur on the surface of SCL then the companies will be made liable. Substantial bonds must be held in trust to rehabilitate in future years.

Thank-you for taking the time to consider our suggestions.

Charles Wilson
Geoff Hewitt
Co-Chairs Futurefood Qld.
25 Alexander Street
Emu Park 4710

Mobile 0428792787
Mobile 0429669480