



Submission regarding the Regional Planning Interests Act 2014 Regulation Submitted by Friends of Felton

August 2014

Submission No. 8

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Introduction

Friends of Felton formed in 2008 in response to a proposal from Ambre Energy to establish an open-cut coal mine and petrochemical plant in the Felton Valley. The strength and commitment of our community has allowed our group to become a leading voice, speaking on behalf of rural/farming communities, in the land use planning debate. It is with this experience that we are able to comment on the Regional Planning Interests Act 2014 Regulation.

Failure to Define Coexistence

It is stated in Division 2 – 3 (1c) that the purpose of the Regional Planning Interests Act 2014 was to

Manage, including in ways identified in regional plans—

(i) the impact of resource activities and other regulated activities on areas of regional interest;
and

(ii) the coexistence, in areas of regional interest, of resource activities and other regulated activities with other activities, including, for example, highly productive agricultural activities.

It is with great concern that the term coexistence is mentioned only once in the Act and not at all in the Regulation despite the Parliamentary Committee “recommend[ing] the Department of State Development, Infrastructure and Planning consults with peak bodies that made submissions to the committee’s inquiry to develop a definition of coexistence or coexistence criteria relevant to each area of regional interest.”

In a recent study by the GISERA Socio Economic team, it was revealed that in a survey of 400 people in 4 towns in the Surat Basin, 50% of those respondents were struggling to adapt to the impacts that coal seam gas were having on them. If this is deemed to be an industry coexisting with the predevelopment land-use and community, then as a State, we have failed our people.

We will repeat a statement made by Friends of Felton at the public hearing in Toowoomba

“In some instances, it may be possible for coal seam gas mining to coexist with large-scale grazing, but coexistence is not possible in more densely settled areas because it ‘compromises quality of life and ... the integrity of the farm and its functionality’”

We would like to reiterate our position that the planning process should be aimed at excluding incompatible resource activities from priority agricultural areas and from strategic cropping areas.

Priority Living Areas

There is still an obvious gap with regard to the protection of towns and communities that have not been identified in Regional Plans as Priority Living Areas. What capacity is there for these ‘missing towns’ to be identified in Regional Plans and how quickly can this occur?

In addition the regulation states that

The application [must] demonstrate carrying out the activity in the priority living area, and in the location stated in the application, is likely to result in community benefits and opportunities, including, for example, financial and social benefits and opportunities.

As revealed in recent GISERA research, family income increased by 15% in 'CSG towns' and the number of jobs increased by 100/Statistical Local Area. However, once again, half of the survey respondents were struggling to adapt to the impacts that coal seam gas were having on them. So how do you determine if a development will result in community benefits and opportunities – economic figures or social impact? And if the Local Government Authority is the Assessing Agency, do they have the expertise and capacity to conduct a full social impact assessment of the proposed development?

Priority Agricultural Areas and Regionally Significant Water Sources

It is still our opinion that there is a need to give absolute protection to irreplaceable agricultural precincts, and believe that this Act and Regulation fail to do that.

To simply ask that “the application must demonstrate the applicant has in place a strategy or plan for managing the CSG water or associated water that provides for the net replenishment of the regionally significant water source” is completely inadequate.

Research by the Surface and Groundwater team at GISERA indicates that there are significant impediments to reinjecting Coal Seam Gas water – clogging, low permeability of aquifer parent material, inability to inject into the same aquifer as extraction occurs and therefore limited ability to replenish certain aquifers.

If net replenishment infers treating saline water and making it available for agricultural purposes, then one would beg the question “where does all the salt go?” Having a plan does not mean net replenishment can or will occur.

The regulation states that

- The application [must] demonstrate carrying out the activity on the property will not result in a loss of more than 2% of both—
- (A) the land on the property used for a priority agricultural land use; and
- (B) the productive capacity of any priority agricultural land use on the property;

How has the arbitrary figure of 2% been determined? The criss-crossing of gas and water pipelines, access roads, bore infrastructure and signs, may only result in a 2% footprint, but the fact that they could be spread over an entire property will have dramatic impacts of ‘workability’ of an operation.

Concluding Comments

On 21 August 2012, The Premier Campbell Newman wrote to Friends of Felton and promised that “Statutory Regional Planning would provide certainty for communities like [ours in that it would] clearly set out where it is appropriate and not appropriate, for resource development projects to take place.”

We fail to see how the Regional Planning Interests Act 2014 and associated Regulation can give this surety to Queenslanders.

Thankyou for the opportunity to comment on the Regulation.

Queries can be emailed to Mrs Vicki Green, President, Friends of Felton

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