



*"The erosion of private property rights is the single biggest issue facing the rural community. It creates uncertainty, stifles investment, job creation and threatens incomes and service delivery."*

**Review of the Regional Planning Interests Act 2014**

**GasFields Commission Queensland**

**PO Box 15266**

**City East Qld 4002**

**Uploaded at: <http://bit.ly/RPI-Act-Review>**

Dear GFCQ,

Please accept this Submission from:

*Property Rights Australia*

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Property Rights Australia was formed in 2003 to provide a strong voice for landowners with regard to property rights issues. It aims to promote fair treatment of landowners in their dealings with government, other businesses and the community.

Please find enclosed the submission to the Gasfields Commission Queensland Review of the Regional Planning Interests Act 2014.

We offer this submission on behalf of our members.

We are concerned by the approach of a group such as GFCQ undertaking a review that has no statutory ability to make changes. We are concerned that it is a fishing expedition that will enable out of context lobbying by gas interests to undertake further lobbying behind closed doors to further accelerate their interests at even greater cost to the agricultural industry. We are also concerned at the selective topic approach that has been utilised providing narrow loaded inaccurately prepared questions to be the guide to the responses provided. It is also concerning that those who are most impacted by this legislation (day to day farmers) are the least of the people asked for their input and the least situated financially and temporally to provide meaningful feedback to a selective review with no statutory powers for change.

As we outlined in detail in 2013 in our response to the RPI Bill, there are many issues, but the following issues in particular, that are still outstanding, that have never been adequately resolved and we remain concerned that appropriate consideration must be given to day to day farmers in order for the RPI Act to be of any service to the future of agriculture and the remaining 3% of Queensland that is good quality agricultural land.

**Coexistence**

The RPI Act and the Darling Downs Regional Plan refers to the concept of co-existence. No definition for coexistence has been provided in the legislation. PRA does not believe that coexistence can be achieved. For example:

- where broad areas and large scale machinery are the lynchpin of efficiency, having to reduce either or both of these to accommodate either of these will cause a permanent decrease in efficiency
- where irrigation entitlements to aquifers have been reduced and will be reduced in future often resulting in loss of crops, the notion that resource companies can have unimpeded access to that water is abhorrent



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- CSG wells, roadways, pipeline and other associated infrastructure on alluvial flood plains are incompatible with areas that are cropped.

Furthermore the use of the word coexistence or the alternative sustainable coexistence has never been satisfactorily defined. The reality is that the “measures” for coexistence are opening doors for exploration and resource extraction. Landowners have never felt any comfort that any such arrangement would allow for full farming production and efficiency. The use of this term provides no legal or compensable protection for landowners. Landowners can take little comfort and have little confidence in the Darling Downs Regional Plan where it further dilutes protections for landowners over resource sector activity.

#### **Land Classification and PAA**

Priority Agricultural Area (PAA) has been defined in the RPI and in the Darling Downs Regional Plan. PRA believes that if the pre-existing science which identified Good Quality Agricultural Land was applied, a far greater area would be identified as PAA. The current RPI and pre existing Darling Downs plans, therefore have reduced what is considered GQAL and removed the protections it should be afforded.

The inference of the GFCQ regarding the classification of agricultural land in question 10 of the review is aimed at streamlining what has become (thanks to this legislation) overly complex. We fear any review of agricultural land classification should be undertaken first and foremost by those whose livelihoods and our agricultural future will depend on and not by a gas and mining resource focused coalition.

#### **Landholder Submission Commendation**

Additionally, we commend the report provided to you by a landholder group west of Dalby via Celia Karp. Their submission was undertaken at great expense of time and expert support. This submission must be valued by the GFCQ as it is from those on the ground whose day to day experiences have been and will continue to be dependent upon the approach that this legislation takes to the future of agriculture in Queensland.

This submission is made on behalf of a group of very concerned and impacted landholders from the closely settled and priority agricultural land west of Dalby.

They have taken an enormous amount of time and some expense to provide you with their submission, such is their concerns regarding this legislation and the impact that resource activity will have on their farming for generations to come.

Furthermore, it is truly absurd, ironic and cruel that many of the farmers in that region west of Dalby and who contributed to their submission, who are imminently required to engage with CSG company Arrow on their closely settled alluvial priority agricultural land are currently not afforded any protection by the RPI legislation firstly due to the wildly generous exemptions and secondly due to the grandfathering of the legislation to projects that were already approved prior to the 2014 Act, which are many of the CSG projects, as was Arrow's Surat Gas Project.

We support these landholders and their submission and remain very interested in following up our and their submission with any further clarification or information we may be able to provide.

For further information contact:

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**PRA is a non-profit organisation of primary producers and business people from rural areas defending the rights of property owner**

[www.propertyrightsaustralia.org](http://www.propertyrightsaustralia.org)

