

16 February 2012



Senator Bill Heffernan
Chair
Senate Standing Committee on Rural Affairs & Transport
PO Box 6100
Parliament House
Canberra ACT 2600

Bill,
Dear ~~Senator Heffernan~~

Interim report: the impact of mining coal seam gas on the management of the Murray-Darling Basin

The National Farmers' Federation (NFF) would like to provide a submission on the recommendations contained in the above interim report.

The NFF broadly supports recommendations 1, 2, 6, 8-12, 14, 16, 20-23.

The NFF does not support recommendation 7 for similar reasons to those provided by the NFF in relation to proposals by Mr Windsor and Senator Waters to introduce water triggers into the EPBC Act.

The NFF expresses concerns about the remaining recommendations. In some cases, additional clarification is requested and in others, the NFF suggests some amendments to the proposed recommendation. These are outlined below:

Recommendation 3 and 4

The NFF notes that these recommendations only affect those projects that require approval by the Australian Government under the EPBC Act. In all other cases, the Australian Government will have no regulatory authority over the decision, as State and Territory governments will largely undertake these.

Recommendation 5

The NFF recommends that the Inquiry consider amending the recommendation as follows:

"The Committee recommends that all existing and future CSG development approvals should be preceded by the development of "... a regional-scale, multi-state and multi-layer model of the cumulative effects of multiple developments" of ground and surface water as recommended by Geoscience Australia."

Rationale: Many existing projects have been either approved or are in the process of going through exploration and production approval. Consequently, it is the cumulative of not only future development approvals but also the existing approvals.

Recommendation 13

The NFF recommends that as a general principle it should be established that where a gas company supplies treated CSG water for beneficial use to an existing water user in agriculture, industry or for domestic use that supply must be a substitute for an existing allocation.

The committee recommends that as a general principle it should be established that where a gas company supplies treated CSG water for beneficial use to an existing water user in agriculture, industry or for domestic use that supply should whenever possible be a substitute for an existing allocation.

Rationale: Places substitution as a priority, but recognises that in some instances this may not be appropriate.

Recommendation 15

The NFF recommends that all salt and brine residues that cannot be disposed of within the short term, either as part of an industrial process or by safe injection into a suitable aquifer, should be required to be removed from agricultural areas and water catchments. No controlled landfills for the disposal of salt should be permitted in the Murray-Darling Basin.

The committee recommends that all salt and brine residues that cannot be disposed of within the short term, either as part of an industrial process or by safe injection into a suitable aquifer, must be stored in a manner that as much as possible minimises the risk of contamination of agricultural areas and water catchments.

Rationale: The aim is to absolutely minimise the risk of contamination, and in some cases, storage may be best in situ, rather than face the risks associated with transport. The proposed change also acknowledges that a requirement to remove the waste from the Murray-Darling Basin only transfers the problem to another catchment.

Recommendation 17

The NFF seeks clarification from the Senate Inquiry as to what is meant by “strategic agricultural land”. This “definition” is critical in being able to identify and protect such land from the impact of mining or onshore petroleum activities.

By way of example, the Windsor Inquiry recommended the cessation of “non-strategic” water buybacks. However, the Inquiry provided no definition of what “non-strategic” was. This has created confusion to Governments and stakeholders as it would seem that everyone has a different view of what “non-strategic” means.

Recommendation 18

While the recommendation is supported in principle, the NFF notes that the Australian Government has no power to influence state legislation pertaining to clause 4.100.

Recommendation 19

While the recommendation is supported in principle, the NFF has concerns about the inclusion of the words “whenever they wish to enter a property”. Deleting these words is recommended.

Recommendation 24

The NFF recommends that the position of residents of small regional communities and on small blocks of land also be clarified and that enforceable conditions, including a buffer zone around houses, are included in exploration or production permits to ensure that, despite having no development on their land, they are not subject to excessive interference from coal seam gas developments.

That exploration or production permits include as an automatic condition a one kilometre buffer around all houses. This buffer zone can either be waived or reduced only with the written agreement of the house owner, irrespective of whether the house is on land covered by the exploration or production permit or not.

Rationale: Broadens the proposed protection, to all houses, regardless whether they are in small communities or not, and gives the house owner within the buffer zone the control to vary the exclusion, not the landholder that owns the land where the csg activity is to take place.

Yours sincerely

DUNCAN FRASER
Chair, NFF Mining and Coal Seam Gas Taskforce