



QUEENSLAND FARMERS' FEDERATION

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Submission

12 June 2017

Mr Barry Broe
Coordinator-General
Department of State Development
PO Box 15517
CITY EAST QLD 4002

Via email: inlandrailh2c@coordinatorgeneral.qld.gov.au

Dear Mr Broe

Re: Draft Terms of Reference for an Environmental Impact Statement. Inland Rail – Helidon to Calvert Project (May 2017)

The Queensland Farmers' Federation (QFF) is the united voice of intensive agriculture in Queensland. It is a federation that represents the interests of 15 of Queensland's peak rural industry organisations, which in turn collectively represent more than 13,000 primary producers across the state. QFF engages in a broad range of economic, social, environmental and regional issues of strategic importance to the productivity, sustainability and growth of the agricultural sector. QFF's mission is to secure a strong and sustainable future for Queensland primary producers by representing the common interests of our member organisations:

- CANEGROWERS
- Cotton Australia
- Growcom
- Nursery & Garden Industry Queensland
- Queensland Chicken Growers Association
- Queensland Dairyfarmers' Organisation
- Burdekin River Irrigation Area Irrigators
- Central Downs Irrigators Ltd
- Bundaberg Regional Irrigators Group
- Flower Association
- Pioneer Valley Water Cooperative Ltd
- Pork Queensland Inc.
- Queensland Chicken Meat Council
- Queensland United Egg Producers
- Australian Organic.

The united voice of intensive agriculture



Background

QFF welcomes the opportunity to provide comment to the Coordinator-General regarding the 'draft terms of reference (ToR) for the environmental impact statement (EIS) for the Inland Rail - Helidon to Calvert Project'. QFF provides this submission without prejudice to any additional submission provided by our members or individual farmers.

QFF understand that the key features of this project include:

- 47 kilometre single-track dual-gauge freight rail line to accommodate double stack freight trains up to 1800 metres long
- a 1.1 kilometre tunnel through the Little Liverpool Range
- construction of rail infrastructure, culverts, bridges, viaducts and crossing loops
- connection to the existing West Moreton Railway Line ancillary works including road and public utility crossings and realignments.

Existing References to Agricultural Interests

The Draft EIS ToR specifically refers to agriculture in only two sections, despite the extent of the agricultural activity in this area and its financial and community contribution.

In the 'Site Description' Section 10.6

Where relevant, describe and map in plan and cross-sections the geology and landforms, including catchments, of the project area. Show geological structures, such as aquifers, faults and economic resources (such as agricultural products) that could have an influence on, or be influenced by, the project's activities.

And under Section 11, 'Assessment of Project Specific Matters' - Topography, Geography and Soils Section 11.66

If the project impacts on Priority Agricultural Areas, Priority Living Areas, Strategic Environmental Areas, Strategic Cropping Areas, provide the approach to addressing the requirements of the Regional Planning Interests Act 2014.

QFF seeks clarification from the Coordinator-General on the use of this section by the project proponent.

Section 11.66 of the draft ToR for the Inland Rail - Helidon to Calvert Project (i.e. within the 'Topography, geology and soils' section) concerns implications for development on certain land pursuant to the *RPI Act*.

In overarching terms, development on land within Priority Agricultural Areas (PAA), Priority Living Areas (PLA), Strategic Environmental Areas (SEA) and Strategic Cropping Areas (SCA) is regulated by the *RPI Act*.

However, for the *RPI Act* to be relevant to the development in the draft ToR, the development must fit within the definition of a 'resource activity' or a 'regulated activity'. The former is defined in section 12 (2) of the *RPI Act*. The latter is defined at section 17 of the *RPI Act*.

Clearly a rail line would not meet the definitions included in section 12 (2) of the *RPI Act*. And in this context, QFF has been advised by the Department of Infrastructure, Local Government and Planning (DILGP) it is not considered to be a 'resource activity'.

However, a 'regulated activity' may be involved, as defined in section 17 of the *RPI Act* as follows:

17 **Regulated activity**

- (1) A *regulated activity*, for an area of regional interest, is an activity—
 - (a) likely to have a widespread and irreversible impact on the area of regional interest; and
 - (b) prescribed under a regulation for the area.
- (2) In this Act, a reference to a regulated activity includes a reference to the carrying out of the activity.

QFF notes the use of ‘and’ at the end of section 17 (1) (a).

For the purposes of section 17 (1) (b) of the *RPI Act*, reference is made to section 11 of the Regional Planning Interests Regulation 2014 (RPI Regulation).

Part 4 **Regulated activities**

11 **Regulated activities**

- (1) For the Act, section 17(1)(b), each of the following is a regulated activity for a strategic environmental area—
 - (a) broadacre cropping;
 - (b) water storage (dam).
- (2) **Broadacre cropping** is the cultivation of extensive parcels of land under dryland or irrigated management for cropping.
- (3) **Water storage (dam)** is storing water using a dam, other than storing water on land to be used only for any or all of the following purposes—
 - (a) to meet the domestic water needs of the occupants of the land;
 - (b) to water the stock that is usually grazed on the land;
 - (c) to water stock that is travelling on a stock route on or near the land.

Therefore, for the *RPI Act* to be relevant to the rail line proposal, the rail line development must be located within land that is designated (under the *RPI Act*) as a Strategic Environmental Area in the first instance. Secondly, the proposed development would need to be a water storage (dam) under section 11 (3) of the RPI Regulation. If not, then the *RPI Act* has no effect.

Omissions and Limitations

At the public meeting in Gatton on 23 May 2017, the project proponent ARTC confirmed that much of the EIS will be undertaken using desk top methodology.

Section 10.6 as written will only identify current (present) agricultural crops/products which may or may not be an accurate representation of the land/cropping use, depending on season, water allocation, cropping rotation and a range of other factors.

It is therefore imperative that the proponents undertake meaningful consultation with landowners impacted by the construction, operation and maintenance of the Inland Rail project to determine all associated impacts to agricultural products and economic resources.

QFF also notes that the Draft EIS does not provide guidance or comfort to our members or the broader agricultural community with regards to matters which should be assessed through the process as they relate to agriculture or biosecurity.

QFF therefore requests that under 'Section 11 – Assessment of Project Specific Matters', a new section be added: **11.13 Agriculture, Fisheries and Forestry, and Biosecurity**¹. Matters for consideration must include, but not be limited to:

- What is the total land area required for construction, operation and maintenance of the inland rail track and associated services
- What is the current use of the land and does it have potential for other agricultural uses
- What is the Agricultural Land Classification of the land (for all stages of the project including construction, operation and ongoing maintenance access)
- Can the land be restored to its pre-development landform and productivity after the construction phase
- What are the impacts to existing agricultural enterprises
- Are there impacts on infrastructure or transport availability for the agricultural sector, including upon stock routes
- Will a coexistence plan been developed
- Is there Strategic Cropping or Priority Agricultural Areas within the site
- Are there opportunities that will benefit both the project and the existing agricultural enterprises
- Will water resources be affected (in terms of quality, quantity and reliability).

QFF also suggests that the Biosecurity section (see the objectives and measures commencing at section 11.74) must be expanded to meet the range of matters identified by the Queensland Department of Agriculture, Fisheries and Forestry in its Environmental Impact Assessment Companion Guide¹.

QFF will make separate submissions for the separate EIS processes for the Inland Rail route across Queensland (including the current Draft ToR for an EIS - Gowrie to Helidon route), but advocates the value of maintaining consistency of assessment across all areas of the development.

Yours sincerely

Travis Tobin
Chief Executive Officer

¹ Items adapted from *Queensland Government's Department of Agriculture, Fisheries and Forestry (DAFF) Environmental Impact Assessment Companion Guide* which is to guide all projects to provide information about matters that should be addressed through the environmental impact assessment process as they relate to the agriculture, fisheries and forestry sectors, and biosecurity.