



# Mining Taskforce Update

January 2011

The President established a Mining Taskforce in December 2009 in response to the growing number of mining and coal seam gas activities affecting members across the state. The Taskforce is chaired by Vice President Fiona Simson and also includes Rod Young, Judi Sheedy, Wayne Newton and Bob Hunter. The Taskforce has been extremely active in recent months, with a great deal of activity particularly at a policy and legislation level.

## Framework for Sustainable Development

The Association released its *Framework for Sustainable Development: Planning for Agriculture and Extractive Industries* 26 October 2010. The Framework is the culmination of many months of policy debate and analysis by the Taskforce. The Framework recommends a five-step process to deliver adequate protection for agricultural land and water resources and farmers' property rights. The Framework also advocates the introduction of a pause on new mining exploration and production licences as a transition to the proposed new strategic planning framework. This would only apply to new applications for mineral and gas tenements; renewal applications; and extension of work programmes. It would not affect current coal mining or exploration programmes. Senior Association staff and Taskforce representatives have been briefing key Ministerial advisors and Members of Parliament since the launch of the Framework, and it is hoped that the key elements of the Framework will be picked up by the major parties in the lead-up to the March 2011 State Election. The Framework and an explanatory note about the proposed moratorium are both available from the front page of the Association website ([www.nswfarmers.org.au](http://www.nswfarmers.org.au)).

## Negotiating Access Agreements

The Taskforce has prepared a briefing note for Members to assist them in negotiating access agreements with mining/gas companies. As a result of the inadequate application and approvals process, particularly in terms of community consultation, many landholders are not aware when an exploration licence has been granted in their area. As such, most landholders would not expect to be contacted by mining/gas companies, nor would they be aware of the ideal terms of an access agreement pertaining to their property. The briefing note, available from the Mining/Coal Seam Gas page of the Association's website ([http://www.nswfarmers.org.au/policy\\_committees/crm/priority\\_issue\\_9](http://www.nswfarmers.org.au/policy_committees/crm/priority_issue_9)), provides information on exploration licences; what happens during initial contact from a mining/gas company; what should be included in access agreements (including information on the requirement for the explorer to pay the reasonable legal costs of the landholder in obtaining initial legal advice); what happens if negotiations break down; and some suggested communication strategies.

## Greenhouse Gas Storage Bill

The NSW Minister for Primary Industries, Emergency Services and Rural Affairs, the Hon Steve Whan MP, introduced the Greenhouse Gas Storage Bill 2010 to the Legislative Assembly 24 November 2010. Stakeholder consultation on the Bill, which seeks to facilitate the injection of greenhouse gases into geological formations and 'reservoirs' (which the Association understands would also include aquifers), was completely inadequate. The Bill exempts the declaration of reservoirs from National Parks and conservation areas across the State, which acknowledges the risks to the environment of activities associated with the Bill, ranging from exploratory drilling to the injection of greenhouse gases. Given this acknowledgement, the Association proposed that – at a bare minimum – any area connected to a body of groundwater used for agriculture, stock or domestic purposes be quarantined in the same way that National Parks and conservation areas are. The Association lobbied all Members of Parliament to oppose the Bill, or support this amendment should the Bill proceed. This lobbying was successful, with the Bill withdrawn 1 December 2010.

## CSG Exploration in Sydney

In mid-November 2010, the Taskforce Chair, Fiona Simson, was interviewed by a number of metropolitan and regional media outlets following media reports that coal seam gas (CSG) exploration activities would soon be taking place at St Peters in Sydney's inner-west. The local council and community were unaware that a petroleum title covered their area, highlighting a complete lack of transparency in the application and approval process. This is a situation very familiar to the Association, as addressing the lack of transparency in the process is a key element of the Association's recently released *Framework for Sustainable Development*. Whilst the Framework has been prepared from a rural perspective, the key elements are equally applicable to metropolitan environments. As such, the Association has been promoting the Framework as a solution for metropolitan and rural communities.

## Pipelines

The Taskforce has also been assisting members in the Narrabri-Wellington area regarding the proposed Eastern Star Gas Narrabri-Wellington Pipeline. The Association is arguing that gas infrastructure development should not occur in isolation of the broader strategic planning processes required for the coal and petroleum industries in NSW. Without an up-front, strategic planning approach, pipelines run the risk of being inappropriately located, to the detriment of rural communities. The Association has also suggested that improved processes be put in place to ensure opportunities for meaningful community engagement are provided, preferably prior to the 28-day Review of Environmental Factors for pipelines. Unfortunately, there is often a lack of clarity regarding issues such as proposed depth of pipeline, guidelines for storage pipelines, and amount of easements requirement.

### NSW Farmers Association Mining Taskforce

Fiona Simson (Chair), Rod Young, Wayne Newton, Judi Sheedy, Bob Hunter

Phone: 1300 984 000

Email: [mtf@nswfarmers.org.au](mailto:mtf@nswfarmers.org.au)

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