

Memo to: Tim Watts
Office of Kate Jones

From : John Dalton (KCCG)

Tim

Thanks for you call last night.

As I mentioned in that call, below is a preliminary set responses from last nights KCCG meeting.

John

Kingaroy Concerned Citizens Group **Meeting Details**

Tuesday 14th June 2011
Enterprise Centre, Cornish St, Kingaroy

Agenda

10-45am Arrival introductions, morning tea
11-00am **Community Engagement:** Establishing best practice for local communities affected by mining development
12-30pm Lunch
1-00pm **Strategic Cropping:** the application and implications for the South Burnett.
3-00pm Close of meeting

Invited attendance

KCCG	John Dalton	(and chair of meeting)
UQ Soil scientist	Mike Bell	
Red soil farmer	Rob Crumpton	
PCA rep	Lionel Wieck	
BGA	Ian Crosthwaite	
Agforce	Drew Wagner	
QFF	Dan Gallagher and Brian Tessman	
Proston Rep	Les Blanch	
Mayor	David Carter	(apology but may delegate)
MP	Dorothy Pratt	(apology)
DERM and DEEDI	Craig Watson	(DME)
	Anita Haenfler	(DERM)
	Ben Lawson	(DERM)
	Lindsay Delzoppo	(please confirm)
	Todd Ellis	(please confirm)

(others as negotiated with KCCG)

Other details:

Catering: KCCG has engaged JC Catering to provide tea, coffee and biscuits before and during the meeting, and also to provide a sandwich lunch

Facilities: A data projector, screen, and white board is available at the venue. John Dalton will provide a laptop computer, participants may use these items in combination with their own USB

Travel: Reminder that the Blackbutt Range is open for up traffic on the hour and every half hour, and for down traffic every quarter to and quarter past the hour. Allow a max of 30 mins delay.

Prior to meeting:

DERM to conduct an assessment of a focus paddock near Kingaroy (Alan Sommerfeld property) to test the validity of the current SCL criteria as applied locally.

It was noted in the Technical Assessment (DERM website) that although about 100 sites were tested and results recorded in the TA document, the only South Burnett sites tested were in the northern end of the district near Murgon. The reason given for no further testing was that the weather was too wet.

The standard 8 criteria test would demonstrate to all attending the meeting the exact nature of the validation process, beginning with identification on the trigger map, through to exclusion on the basis of slope (or ph and water capacity as other probable exclusion causes).

DERM response:(please insert)

Item 2: Progressive drafting of a Submission to SCL from KCCG

As mentioned in our phone conversation last night, KCCG wishes to make a constructive submission to DERM concerning the application of the proposed criteria to the soils of the South Burnett region.

In order to optimise that response, we would like to engage with DERM in a series of drafts so that final version for submission is free from simple misinterpretation of the SCL proposal, and is enhanced by successive testing of proposals by KCCG with DERM officers.

Please consider this document the first for your consideration and response. Subsequent drafts will be developed prior to the June 14th meeting and our subsequent lodgement as a submission before the 29th June 2011 deadline.

From Keith Jessen: mining of cultivation or ex cultivation grazing. Mine one and you make it all unvialble. It is all connctied complimentary. Its an entity. Feed grain sutble.

1 Sample validation (see above meeting information)

KCCG proposal:

DERM to conduct an assessment of a focus paddock near Kingaroy (Alan Sommerfeld property) to test the validity of the current SCL criteria as applied locally.

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DERM response:(please insert)

2 RED soil note page 41 of Technical Assessment

KCCG has noted that the technical assessment team has identified the problems associated with the use of slope as a defining criterion for red soils (page 41 of technical assessment). They even suggested relaxing the slope limit to 8% as a means of ensuring their inclusion. They identified their fertile and productive nature.

From: Technical Assessment (p41)

Red horticultural soils

The assessment identified that some areas of deep, well drained and stable soils in the Coastal Queensland and Wet Tropics zones would be excluded by the 5% slope threshold.

These soils occur in landscapes that are highly regarded for horticultural tree, vine and row crops because of their microclimate (frost free), deep drainage and low erodibility. Such well drained soils are important to the horticulture sector and can support a wide range of crops. They are often cultivated on slopes >5% and therefore a slope threshold of 8% would be an appropriate upper limit for sustainable cultivation on these soils, above which cropping is largely restricted to perennial forms of horticulture.

The most suitable of these soils are the 'red soils' which include loamy and sandy Red Kandosols (e.g. south east Queensland, coastal Burnett), Red Chromosols (e.g. in the Sunshine Coast lowlands) and deep well structured Red Ferrosols that are found at a range of sites across Queensland including the Kingaroy area in the Burnett catchment, Mount Tamborine, Blackall Range and the Atherton Tablelands.

Sites with red soils were assessed in south east Queensland (site 5), Bundaberg/Childers (sites 105, 109, 113), the inland Burnett (sites 50, 53, 56) and the Wet Tropics (site 401). The sites include a number of both cropped and uncropped areas.

In most areas of the Coastal Queensland zone, these red soils require access to at least supplementary irrigation water for perennial horticulture. However where irrigation is applied, these soils support cropping with high productivity. In coastal parts of the Wet Tropics the need for supplementary irrigation is less and these areas are used for both horticulture and drylandcropping.

The possibility of including a separate category of 8% slope for Red Ferrosol soils was discussed by the assessment team.

The inclusion of this group of valuable horticultural soils would add complexity to the relatively simple assessment of slope, and increase the risk of inconsistency in the application of the framework (e.g. if the identification of Red Ferrosol soils was required to determine the slope threshold). It would also include a group of soils that generally require supplementary irrigation to sustain their productivity, and this would be inconsistent with the overall SCL criteria approach of not including soils that depend on irrigation for their productivity

The possibility of raising the slope criteria threshold to 8% for all soils in the Coastal Queensland and Wet Tropics zones was also considered, which could potentially result in areas of poorer quality soils being designated as SCL. However, many would be excluded by other criteria such as soil depth and soil water storage. Note that no such sites were represented in the assessment.

Recommendations

30. Retain the 5% slope threshold for the Coastal Queensland and Wet Tropics zones.

Implications

- Retaining the 5% slope threshold for all soils would:

- o result in an area of horticulturally significant soils not being classed as SCL
- o ensures a simpler and more consistent application of the criteria and threshold
- Not altering the slope threshold to 8% for Red Ferrosols only would:
- o result in a small area of horticulturally significant soils not being classed as SCL
- o ensures a simpler and more consistent application of the criteria and threshold

It should be stressed that the South Burnett soils are distinct from some aspects mentioned by the TA team. They are not irrigated, do not erode due to higher rainfall in coastal areas and the use of contours, and are primarily agricultural rather than horticultural.

The TA team finally recommended the retaining of the 5% slope criteria on the grounds that it would “add complexity” to the application of the slope criteria, would include many less fertile soils in the coastal region, and open up the prospect of inclusion of other lands that would suffer higher rainfall problems.

They acknowledge that this would adversely exclude the soil types which are the focus of KCCG concern.

Avoidance of complexity is not sufficient or sound reason to exclude South Burnett soils from SCL protection.

Ironically, this dilemma for the TA team also suggests the solution to the problem.

KCCG proposal:

The problem appears to be not whether to exclude South Burnett red soils or not, but how to include them without adversely corrupting the intent and extent of SCL in other areas of the zone that it shares.

Therefore, one solution would be to define an extra zone that allows inclusion of SB red soils but confines the flow on affect to areas of similar geography. The extra zone could be defined as Red Soil Agricultural Areas. It may also include areas such as the Atherton Tableland.

DERM response(please insert)

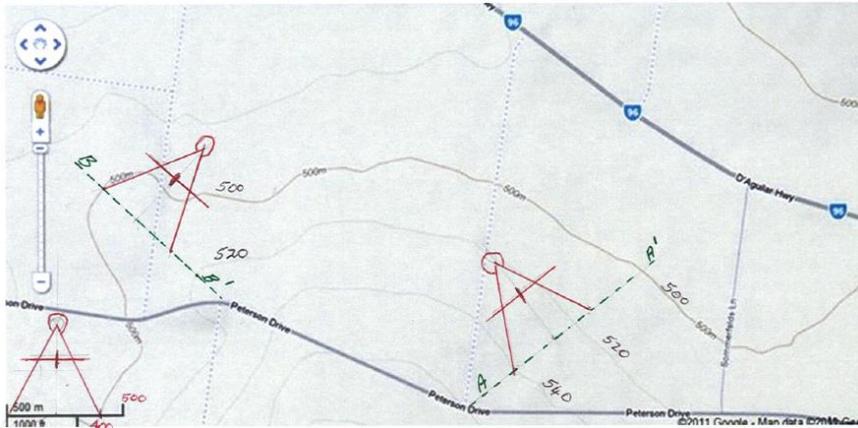
**3 KCCG proposal:
Preliminary Self -Assessment and Standard Fees and Charges**

It was noted that the 8 SCL criteria are staged from simplest to implement (no. 1) to most complex (no 8) and that a standard fee of \$4000 is required for validation.

It would assist landholders if a simple “preliminary self-assessment” kit was developed.

This could include simple slope assessment using google maps (see insert), crude ph tests for the 300 and 600 mm depth tests, and other such easy to apply on-farm test techniques.

This would obviously save the land holder from having to pay DERM \$4000 to hold up an inclinometer, declare the farm over the 5% slope, and say “thank you for the \$4000.”



Slope test using Google Maps

(5% = 1/20 = 20m / 400m)

- 1 Select a transect
- 2 Set dividers to 400m from the given scale (4/5 of 500m)
- 3 Place dividers on transect A-A¹.
- 4 The 400m divider setting exceeds the 520 -540 countour interval on the map, therefore the slope exceeds 5%. (28/400 = 7%)
- 5 Place the dividers on transect B-B¹.
- 6 The 400m divider setting sits between the 500-520 contour interval on the map, therefore the slope is less than 5% (14/400 =3.5%)

DERM response(please insert)

**4 KCCG proposal:
Quick links**

Easy to use, location specific quick links on the DERM website would be helpful for the most used sections of the SCL process.

DERM response(please insert)

5 KCCG proposal:

KCCG requires confirmation of the process that applies to Ministerial decisions to be made when SCL has been validated but a mining proposal such as Qld Bauxite applies for an MDL.

From Policy Framework (page10):

Provides the Minister with powers to determine whether a development provides significant community benefit that would override the State's need to protect strategic cropping land.

How is the **community interest** assessed, and is a mining proposal dismissed if the material is available in other locations without validated SCL ?

DERM response(please insert)

6 Community Consultation and Information:

Current Practice:

1. The current EPM and EPC mandatory process is as follows:
2. The current process for a Govt approved trial (such as the Cougar Energy UCG trial in Kingaroy is as follows:
3. Consider the following account from Keith Jessen and John Larson about how they received information about proposed bauxite exploration on their land recently: (John and Keith to speak,). They are to explain how it happened, how they felt, what they did about it, time spent.

Community Engagement

Mining companies and the Government have a "Duty of Disclosure" to fulfil before they can expect landholders and local communities to fully co-operate with mining activity.

1. Government makes about computer use and availability. It is not the preferred means of obtaining or receiving information for many people. Some prefer printed material, and others rely on word of mouth.
2. Follow the Local Govt process as a template for managing the EPM process
3. The right to object
4. Display of proposal in public places
5. Locality and project specific quick links on DERM / DME website. It shouldn't be a treasure hunt!
6. Lack of trust of mining companies.
7. Suspicion because and able to be reduced if.....

8. Information hubs at local council.
9. Full information is best disseminated by: and by postcode mail out 100%
10. Notification of issues needing response or submissions (like SCL) is currently done by and could be improved by.....
11. Local Government is currently informed of pending EPM activity by and should be informed and resourced by.....
12. Landholders expect and prefer information from the Government before getting it from the company.
13. Landholders need some information about their rights and responsibilities wrt to proposed mining activity: succinct info about their right to refuse, compensation for loss of productivity, appealing to Govt for bad practice by miner, what to expect from the miner, ...etc
14. All landholders should expect to see a copy of the permit EPM.
15. All sites must be visited before approval given.
16. EIS for all trials
17. mini EIS for all permits
18. Explanation as to why the project is of local, state or national interest
19. Explain not just the proposal to explore, but what successful exploration would lead to, and what a fully developed project would look and function like. People are suspicious of partial disclosure. It is natural to scream and get out of the water when you see a shark fin, rather than wait till it bites your leg.
20. Proponents and Govt need to address the “Triple Bottom Line” of Social, environmental and financial consequences. See the Canadian model!!
21. All related documents need to be not just accessible, but **known** to be accessible.
22. No project or exploration without at least one public information night.
23. A DME / DERM hotline for information and report suspected mal practice
24. Visible Govt presence to check on all permitted works and for environmental monitoring.
25. Cougar Energy taught us that self regulation doesn't work for the same reason that self reporting of traffic offences is not a very good idea.
26. Additional requirements for community engagement to be paid for by the applicant and not the tax payer.
27. Cancel permits that are no longer in the public interest, that are inordinately inactive, or that are under strategic cropping land.
28. Land holders and potential land buyers need ready access to all maps.
29. Mining related stress is caused by fear of the unknown, additional work and productivity, loss of time and concentration, and ...etc.....
30. Landholders need a confidential counselling service for personal, financial and legal purposes
31. Landholders need an advocate or support service to help them manage mining related activities that fall outside their area of expertise.

Which is closer to current Govt practice?

(A)

An invisible Government master plan that has no provision for local consultation, grants permits to trial without doing an EIS, trusts the company to send in results for environmental testing but doesn't follow up late submissions, delegates the need to manage risk assessment to the company

(B)

Informs the community of all proposals and applications, articulates the arguments for and against the proposal to the community, refers to previous research, publishes the risks associated with the exercise, transparently responds to those risks, does an EIS (environmental impact statement) if a project is considered a trial, and doesn't approve if potential damage to the environment is considered irreversible.

Info About Land Access Process from From Keith Jessen

- Had phone call from QBL to set date for interview
- days later Mark Derriment came and wante do drill on 54v
- only one interested literature but didn't understand
- went thru important stff thought they had authority.
- Had the look of "say yes or we'll come any how."
- Thought I had no option
- No time to read all
- Most uninteresting
- At KCCG meeting I said no.
- Next morning I rang Mark D to confirm
- To have no more contact

Minimum Standards for EPM / EPC / Trial Community Engagement.

Currently Practice:

1	Application received by DERM / DME	
2	Application approved by DERM / DME	
3	Miner talks to landholder and says we will be here to drill next week.	
4		
5		
6		
7		

Proposed New Practice:

1	Application received by DERM / DME	
2	DERM prepares and distributes by mail a comprehensive booklet of information to all landholders in the application region (see below for essential items for inclusion and some details)	

3	A public meeting is conducted by DERM / DME and the applicant company to explain the proposal (suggested topics for meeting below)	
4	Submissions received (objections, enquiries, support)	
5	Application assessed by a panel that includes: <ul style="list-style-type: none"> • . • . 	
6	Application approved by DERM / DME	
	DERM / DME activates website quicklink (hosting a project and locality specific set of resources, eg. <i>Queensland Bauxite, South Burnett</i>)	
7	Community is informed of approval by mail out	
8	Miner talks to landholder and says we will be here to drill next week.	
9		
10		

Information Booklet Contents

1	Introduction from Minister	
2	Invitation to attend the public meeting	
3		
4		
5		
6	Application details / criteria against which it will be assessed	
	Company details and contacts	
7	Maps (details of this project)	
8	Other local permits (including maps of less detail)	
8	Contact details for support	
9	Right and Responsibilities of the Landholder	
10	Right and Responsibilities of the Applicant (mining company)	
11	Local considerations (Strategic Cropping pending, local economy,)	
12	Objection and submission details	
13		
14		
15		
16		

- (A) An undisclosed Government master plan that has no provision for local consultation, grants permits to trial without doing an EIS, trusts the company to send in results for environmental testing but doesn't follow up late submissions, delegates the need to manage risk assessment to the company
- Informs the community of all proposals and applications, articulates the arguments for and against the proposal to the community, refers to previous research, publishes the risks associated with the exercise, transparently responds to those risks, does and EIS (environmental impact statement) if a project is considered a trial, and doesn't approve if potential damage to the environment is considered irreverable.

