



Protecting Strategic Agricultural Land (SAL) and proposed changes to the Environmental Planning and Assessment Act 1979 (EP&A Act)

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Webinar 2/2/2017

What is Strategic Agricultural Land?

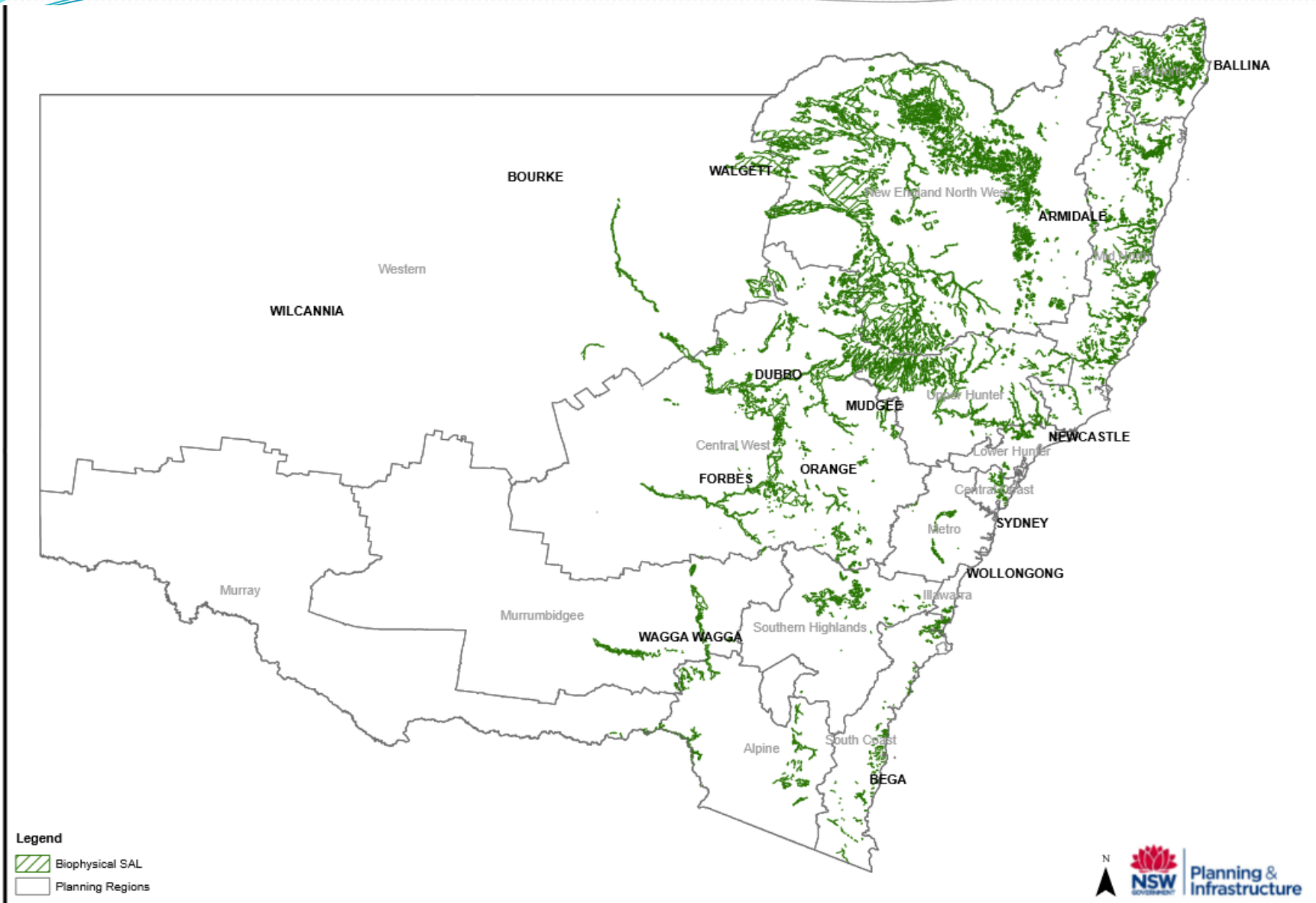
Two types of SAL:

- Definitions:
 - Biophysical Strategic Agricultural Land (BSAL) is land with a rare combination of natural resources highly suitable for agriculture. These lands intrinsically have the best quality landforms, soil and water resources which are naturally capable of sustaining high levels of productivity and require minimal management practices to maintain this high quality.
 - Critical Industry Clusters (CIC) are localised concentrations of interrelated productive industries based on an agricultural product that provides significant employment opportunities and contributes to the identity of the region. There are two CICs – the viticulture and equine CICs in the Upper Hunter

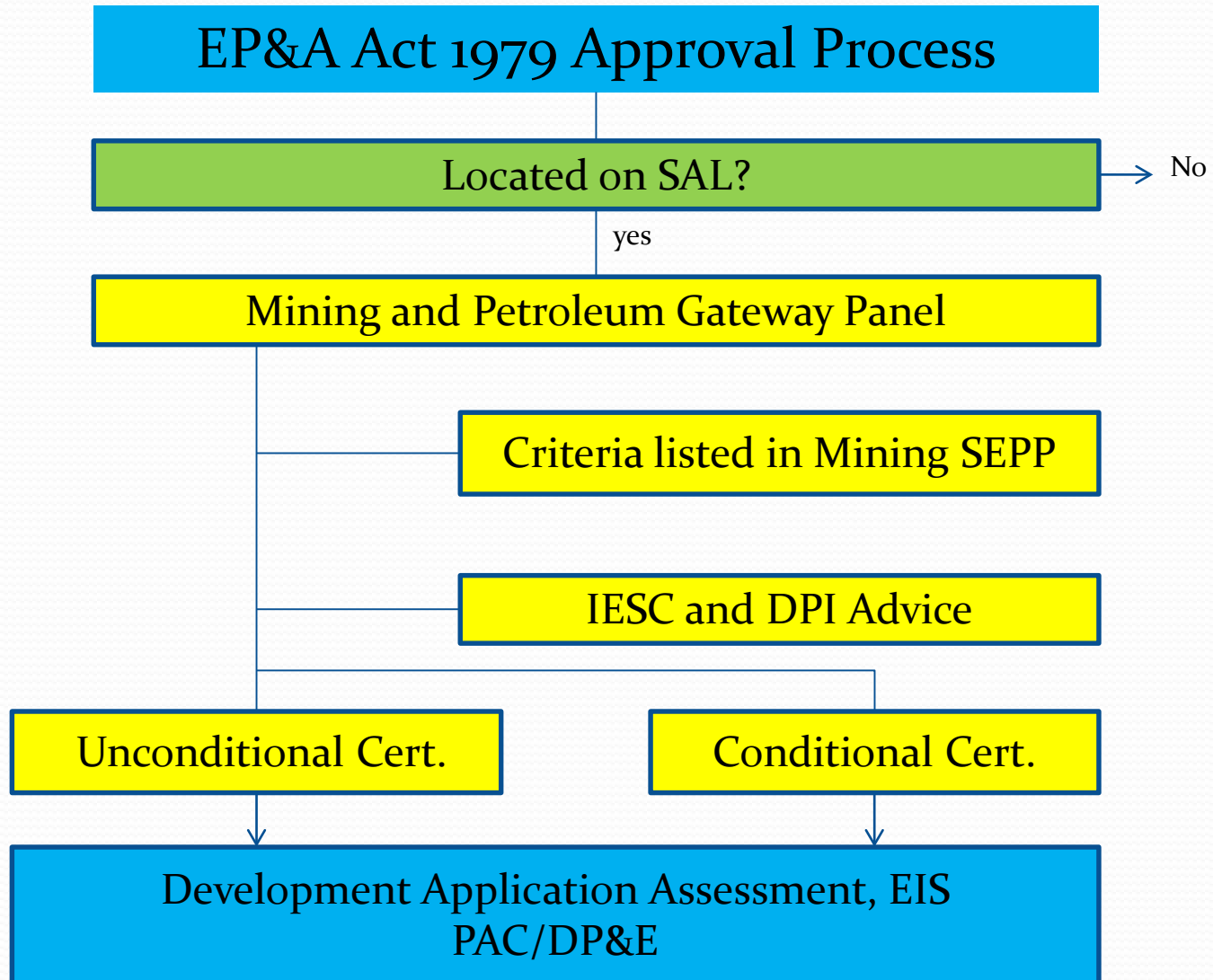
Mapped Areas of SAL

- Strategic Regional Land Use Plans (SRLUPs) identify strategic agricultural land.
- Both types of SAL are mapped at a regional scale and shire scale.
- State significant developments (Coal mining and CSG) on SAL triggers the Gateway process – an upfront, independent scientific assessment.

BSAL MAP



Coal Mining and CSG Impacts on Strategic Agricultural Land



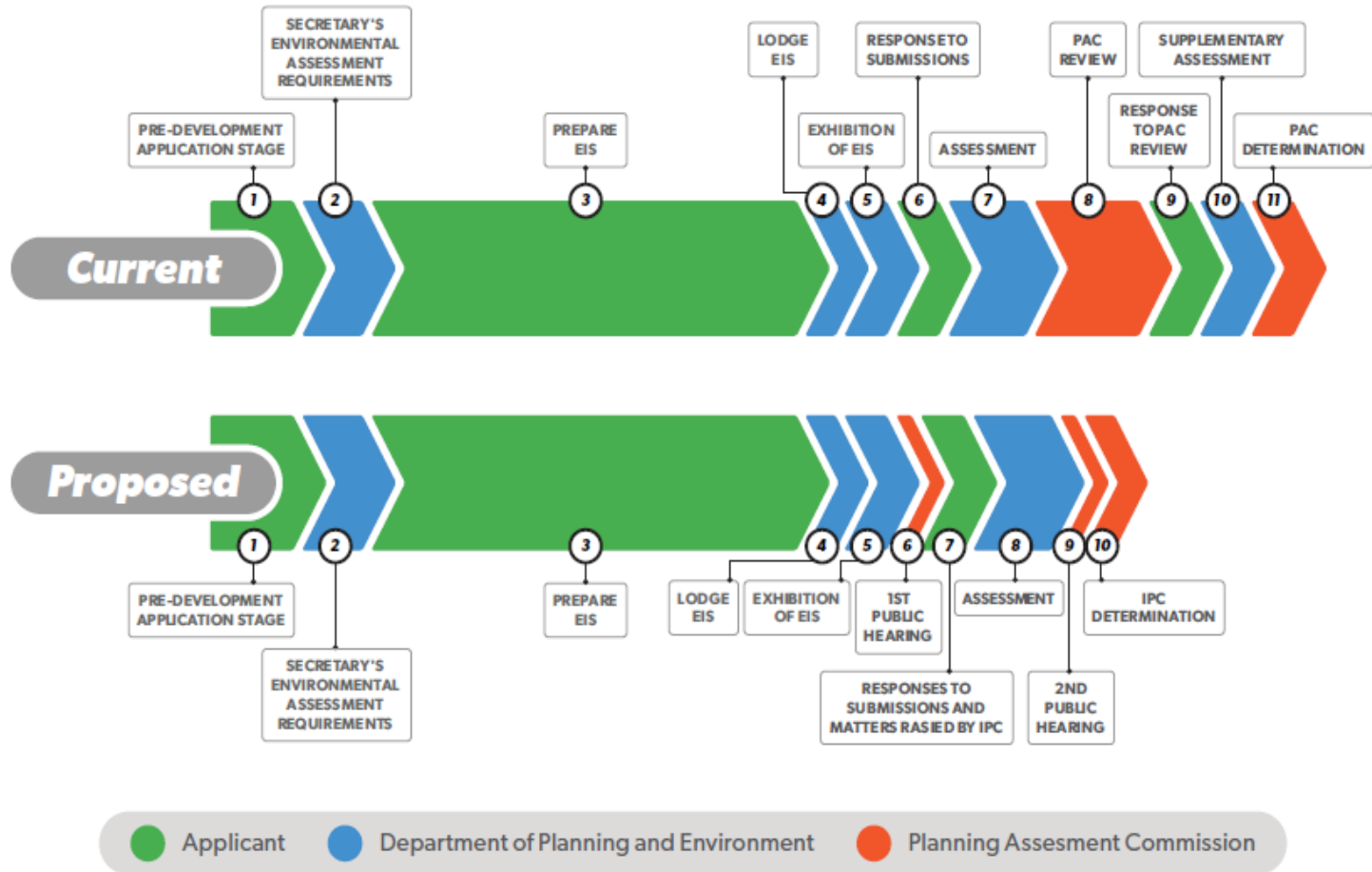
Proposed update to EP&A Act 1979

Draft Planning Bill (Jan 2017):

Changes for State significant developments

- Priority to halve the time taken to assess applications for State significant developments.
- Times for complex State significant proposals increased from 598 days in 2008 to 1089 days in 2014.
- Independent Planning Commission (IPC) to replace Planning assessment Commission (PAC)
 - IPC will make determinations on proposals sent to it by Minister
 - Public hearings will be held over two stages
 - Expanded technical expertise (soil, agricultural science, hydrogeology, economics, and mining)
- Mining and Petroleum Gateway Panel to operate within IPC

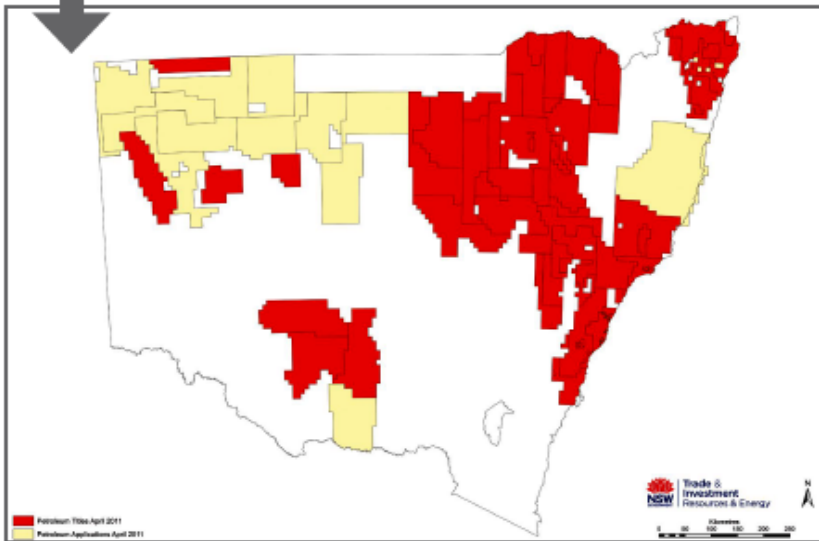
Figure 4: Removal of the duplicative review function



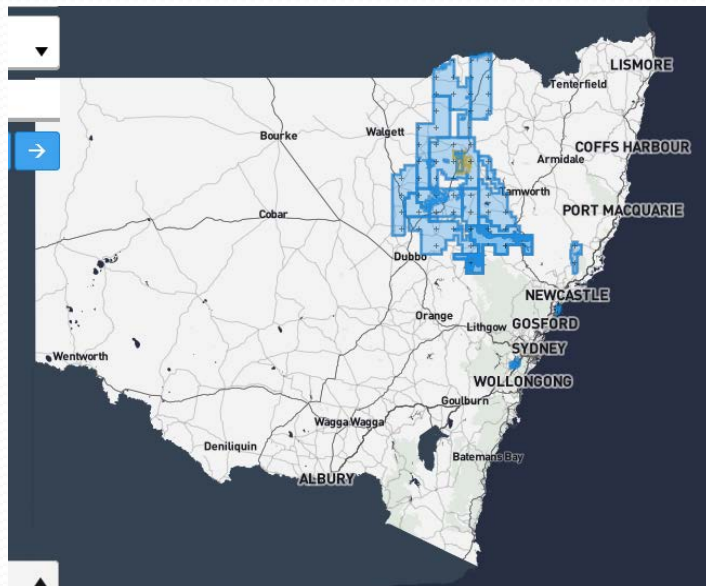
Policies Protecting Groundwater Resources

- Chief Scientists Recommendations
- NSW Gas Plan
 - Water Monitoring Framework (\$21m)
- Strategic Release Draft Policy
- Aquifer Interference Policy
 - Criteria used in Gateway Process

NSW Petroleum Titles & Applications April 2011

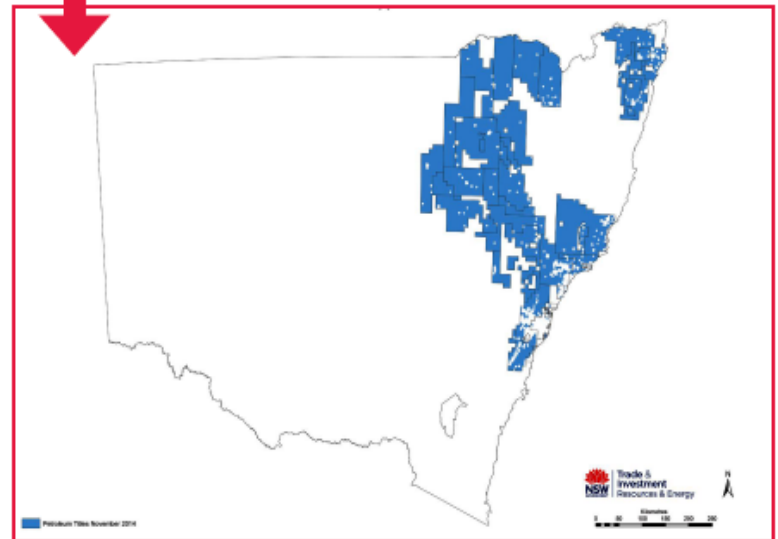


NSW Petroleum Titles Dec 2016



NSW Petroleum Titles October 2014

(following passage of the *Petroleum Onshore (Amendment) NSW Gas Plan Bill 2014*)



<http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/programs-and-initiatives/strategic-release-framework-for-coal-and-petroleum-exploration>

water Criteria used in Gateway Process

Section 17H(4) of the Mining SEPP provides the *relevant criteria* for the Gateway Panel's determination and recommendations.

For BSAL:

(a) the proposed development will not significantly reduce the agricultural productivity of any biophysical strategic agricultural land, based on a consideration of the following:

- (i)
- (ii)
- (iii)
- *(iv) any impacts on highly productive groundwater (within the meaning of the Aquifer Interference Policy),*
- (v)
- (vi)

For CICs

(b) in relation to critical industry cluster land-that the proposed development will not have a significant impact on the relevant critical industry based on a consideration of the following:

- (i),
- *(ii) reduced access to, or impacts on, water resources and agricultural resources,*
- (iii)
- (iv)
- (v)

Key Groundwater requirements

1. Identification of aquifers, surface waters, Groundwater Dependent Ecosystems (GDEs) and Cultural Significant Sites (CSS)
2. Strategy for obtaining water licences
3. Strategy for complying with WSP rules
4. Baseline groundwater conditions
5. Modelled impacts on water assets
 - Water Budget
 - Minimal harm test
6. Potential for enhanced connection
7. Method of disposal of waste water



Thank you