



Mining and Co-Existence on Agricultural Land

Policy Paper

Introduction / Background

Mining and agriculture have been part of the landscape in Australia for many decades. Originally, mining had little impact on agriculture and the legislation in Australia was largely enacted when mining had a relatively small impact on the landscape.

Current legislation generally ensures the State owns the mineral resources below the surface of the land and landholders have the rights to farm the surface of the land. This has enabled the State to secure a royalty stream from mining activities, and regulate mining activities. Landholders usually have rights to underground water in aquifers below their farm, but most aquifers now have regulations to prevent over-exploitation.

Problem Statement

Until recently (the last fifty years or so) mining had little impact on agriculture, but with large-scale mechanisation and the exploitation of underground resources such as coal seam gas, mining and agriculture have struggled to co-exist.

Mining and Agriculture

Mining activities must not destroy prime agricultural land. If mining activities are to occur on (or below) prime agricultural land, the mining proponents must demonstrate that the landscape can be restored to full productivity before mining is permitted. Once mining operations are underway, the mining company must ensure that the landscape is fully progressively restored to pre-mining capability.

No mining activity should be allowed to pollute the landscape (or underground aquifers) Once mining operations cease, the mining company must restore the landscape to full productivity. Adequate sureties must be held by Governments to ensure this.

There must be no net detrimental impact on underground water supplies for agricultural or domestic use. That is, no net negative result and the mining industry must ensure sustainability of underground water.

Resource activity must not occur unless landholder agrees or the land court makes a determination. Mining development must address relevant neighbour impacts e.g. overland flow issues so that activities or infrastructure on one property do not unreasonably impact neighbouring properties.

Agricultural activities/operations must have priority over resource activities. Where there is any conflict, agriculture has right of way, except for genuine safety emergencies. In addition, mining development must not compromise human health and safety.

Landowner compensation must recognise and address all impacts of mining activity including social, financial, amenity and lifestyle. The proposal to secure a 10% royalty stream for landholders with new Coal Seam Gas developments is conditionally supported subject to demonstrable stewardship approaches by the mining industry to prevent fugitive methane gas escapes and groundwater contamination.

Recommended Readings

- Nil for this Policy Paper

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