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The Research Director
Agriculture, Resources and Environment Committee
Parliament House
George Street
BRISBANE QLD 4000

Submission: Mineral and Energy Resources (Common Provisions) Bill 2014

I am now a retired farmer a situation that I am very thankful for due to the massive problems that exist under normal farming conditions even ignoring the current complexities in the agricultural industry with the encroachment of mining and industrial enterprises onto the unprotected landowners land.

My interest is for those in the industry, for the protection of the environment and of Property Rights.

I consider mining and fracking intrusive businesses that only provides a comparative short term gain, compared to the future, with limited employment during its time.

It may provide interim revenue to the government but I question as to who will bear the cost if the land is to be restored for future use. There appears to be complete ignorance and lack of knowledge of the condition the affected land, environment and water supplies will be left in and its suitability for future farming and use.

The small landowner has some advantages in the new Bill but it still does not provide sufficient protection for their rights to defend themselves, lodge an objection, the manner and provision for this, the expediency an objection will be given for resolution and for the landowners costs to be met by the intrusive mining company and or the government. All buildings and improvements must be fully protected and any damage or loss of use fully compensated for.

The Bill and its omission of adequate landholder protection is aligned to what is expected from Robert Mugabe for farmers and landholders in Zimbabwe with its abolition of property rights. The government is appointed to protect and encourage primary production not contribute to its destruction in favour of mining companies.

The Bill must be very comprehensive to protect all interests with preference to established farming areas against the predominantly overseas owned mining interests who will depart as soon as financial economics dictate or exhaustion of the resource leaving gaping holes.

The Bill must take into consideration its impact on those that are or may be affected and provide a stipulated method for the landowner to gain justice without cost. The cost of a landholder to defend themselves where they are being disadvantaged should be met by the particular intruding mining company or jointly with the government as the Bill is being introduced for mining interests.

It is undemocratic to expect a landowner disadvantaged by a biased Bill of Parliament to meet the cost of objecting to its unfair provisions which have affected their normal business activity without the means of prior negotiation an action the government is supporting.

The introduction of the Bill has enormous consequences many of which are not readily comprehended.

Farming is an essential activity to meet the food needs of the worlds increasing population and it is vital that the subterranean water supplies be protected for the existence of life, the environment, flora and fauna.

The Bill and its provisions warrants further scientific research, extensive all inclusive and thoughtful public debate particularly by the landowners to seek its effect and protection.

The Bill is being introduced at a very inconvenient time of year for business ignoring its complexity. Its introduction should be further extended to allow for additional public discussion.

In its present form the Bill does not provide sufficient safe guards or protection to the farming community who provide a far greater contribution to supporting humanity than mining which with the help of the government is attempting to ward off increased innovation from nuclear, solar and wind driven turbines. This support should not be at the expense of farming which is being ignored and treated with contempt clearly obvious from media comments and court cases already undertaken to preserve some semblance of the landholders previous undisturbed existence and to avoid complete annihilation.

There should be no entry onto a landowners property without prior agreement between the landowner and the mining company. This is expected from the benefit of holding "Freehold Title" formerly recognised as a "Property Right", the cornerstone of any democracy.

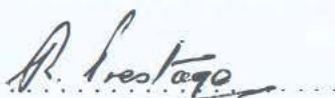
The view or provision for a mining company to enter a persons private property unannounced and drill or excavate where or when they wish and to any depth is antiquated and a ridiculous situation in this age. It must be legislated in the Bill that this action is now obsolete and is removed.

The Bill must provide that in the event of a stalemate this should be resolved by arbitration and as previously stated at no cost to the landowner who deserves to have their rights recognised and to be fully compensated in any claim for injurious affection, loss of income, living and property disturbance, land reinstatement and all other contingencies. A landholder should not suffer any disadvantage to their lifestyle or earning capacity as it is purely the mining companies decision to mine and to determine whether it is financially viable to do this. This is a reasonable and expected democratic outcome as we continue into the twenty first century.

Farming is becoming a forgotten occupation but it is a highly important, viable and productive industry which requires far greater protection than it is being given.

The Bill should be amended to incorporate submission recommendations to ensure a landowner is not inconvenienced and is fully and adequately protected with all costs incurred in their defence against intrusion met in a timely manner to avoid stress and induced medical complications.

I refer to the introduction of the Cane Toad from which we have learnt nothing.


Ralph Prestage