

From: [David McWilliam](#)
To: [Agriculture Resources and Environment Committee](#); [Minister for Natural Resources and Mines](#)
Subject: Submissions to the Minerals and Energy Bill 2014
Date: Monday, 7 July 2014 10:43:03 PM

I am writing to object to changes that will reduce or remove public rights to object to mining leases. Large, often multinational mining companies have financial, legal and marketing power to ride roughshod over most objections unless they are protected by formal legislation.

Specifically:

I object to Clause 245. As it removes existing public rights to lodge formal objections to the land court in the vast majority of mining projects. Ministers have claimed that objections can be frivolous but have not specified a single case.

I object to Clause 429. Removal of restricted land status when the miner is granted exclusive surface rights to access land removes one of the few rights of vulnerable landholders. No-one should have the land surrounding their house destroyed by an open-cut mine yet this would be possible under this clause.

I object to Clauses 419 and 420. These clauses remove existing community notification rights and rights to object to mining lease applications. The narrow definition of an 'affected person' proposed, which would exclude neighbours or community groups or people in the water catchment, is not acceptable. Land use decision making processes for other industries provide for community submission and appeal rights, so there is no good reason why mining tenure should be exempt from this basic standard.

I object to clauses 234 and 242. It is inappropriate to restrict matters that the Land Court can consider and give these powers, such as to consider the 'public interest', to the Minister. Decreasing judicial oversight, increasing ministerial powers and shutting out community participation has worrying implications for corruption.

Yours sincerely

David McWilliam

████████████████████
Wongaling Beach 4852

David McWilliam

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QLD 4852