Wildlife Preservation SOCIETY OF QUEENSLAND Upper Dawson Branch

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

Dear Sir/Madam,

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

I am writing this submission as Secretary of the Upper Dawson Branch of the Wildlife Preservation Society of Queensland. Our Branch has long been involved in encouraging care for the environment and the co-existence of various forms of land use in the Upper Dawson Catchment with a view to managing natural assets in a cooperative and sustainable manner for the livelihood and well-being of generations of rural people into the future. To this end, we have supported the surveying of the natural values of the unique wetlands of the Palmtree and Robinson Creeks, the protection of the sandstone landscapes in forests and National Parks, and in safe-guarding the quality of waterscapes and landscapes of the Valley.

Thank you for the opportunity to make a submission to the Committee.
Given the persistent legacy in our Valley of the toxic wastes in the Mount Morgan mine pit, the highly polluting operation of the Moura Mine, the impacts of the abandoned Cracow and Baralaba Mine sites over decades prior to recent renewal, we are well aware that mining is at best an intermittent generator of activity and ephemeral wealth, and at worst an on-going source of toxic water and land pollution. Besides those individuals who suffer dispossession from the establishment of mines on their land, other profitable farming ventures and town householders have been rendered unprofitable and forced to sell by price impacts on land values. Wages paid by mining companies cannot be matched by local employers on farms and in small business, rendering them less profitable. Rail, road and pipelines may dissect properties far from the mineral's source, impacting on their cost of production. Increased traffic of mining vehicles on previously quiet country roads impacts on every other road user, and dust, including mineral dust, may be showered over homes and pastures quite distant from the mine. There has been some opportunity under existing law for these issues to be raised and to enable the costs and benefits to be debated openly in Court and to deter the type of corruption exposed in New South Wales. Our Branch requests that the existing rights under Queensland law not be changed or weakened in any way.

So we **oppose the changes** proposed in the following clauses.

- Clauses 418 and 420
  These clauses **remove existing community notification rights and rights to object to mining lease applications**. Changing land tenure to allow for mining rather than another land use could impact on a broad section of the public as outlined above. Therefore the narrow definition of an 'affected person' proposed, which would exclude neighbours or community groups or people in the water catchment, is absurd. 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.

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- Clause 245
  Limiting community notification and formal objection rights to the Land Court to "site specific" environmental authorities will, in conjunction with the above clauses, **remove all existing public rights to lodge formal objections to the Land Court in up to 90% of mining projects** in Queensland. This is unacceptable and fails to recognise the positive impact of community objection rights. The same mining companies who want to limit public objections are often foreign owned. Suggestions by State government Ministers that objectors lodge frivolous or vexatious cases is entirely untrue, rather the opposite is true: there are no examples of such cases and objectors are very responsible. In the Alpha coal case (2014) the land holders and conservation group exposed that the mining company had a lack of hard data on groundwater impacts. Public spirited objectors went to Court and saved Ellison Reef (1967) from limestone mining and helped show the importance of protecting Fraser Island, now World Heritage Listed (1971).

- Clause 423 and 424
  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**.

- 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 call on the Committee to approach the proposed legislation with a view to empower, rather than disempower, our communities to take responsibility for our State. In Queensland for decades any person or group has been entitled to object to any mining proposal in open court, to have the evidence scrutinised about the benefits and detriments of a proposed mine. I request that you do not accept these changes but instead keep existing provisions that require public notification of all proposed mining projects and that allow any person or incorporated group to object to all mining leases and environmental authorities on all the existing grounds.
- **Consultation Process prior to the Bill reaching Parliament**
  Please ask Minister Cripps to provide exact figures on how many of the 176 submitters to the discussion paper opposed changes to existing objection rights and detailed examples of alleged cases of vexatious objections. According to EDO Qld, at least 106 submissions of a total of 176 submissions on the discussion paper, from both rural and urban submitters, opposed the changes. Yet Minister Cripps does not report this key fact in pp 47-48 of the explanatory notes.

Yours faithfully,

E A Hobson

E Ann Hobson
Secretary.