

The Research Director
Agriculture, Resources and Environment Committee
Parliament House, Brisbane
By email to: AREC@parliament.qld.gov.au

Dear committee members

Mineral and Energy Resources (Common Provisions) Bill 2014

I write as a conservationist and owner of a Queensland native refuge to strongly oppose the intent to change existing rights under Queensland law to object to proposed mines. Public objection rights are vital to promote the public interest in decision-making about mining applications. They are vital to improve the prospects that environmental and other impacts on values of affected land are properly considered in decisions. They go some little way to mitigating the extreme bias in decision-making that currently favours mining interests over those of the community.

I oppose the changes proposed in the following clauses.

- (a) Clauses 418 and 420, which remove current community notification rights and rights to object to mining lease applications
- (b) Clause 245, which limits community notification and formal objection rights to the Land Court to 'site specific' environmental authorities

In combination these clauses will remove existing public rights to make formal objections to the Land Court in up to 90% of mining projects in Queensland. The definition of an 'affected person' is far too narrow and would exclude many genuinely affected people and groups, including other landholders whose land would be affected and people and groups with an interest in protecting the environment. These changes would severely constrain the capacity of nature refuge owners such as myself to take legal action to protect the values of the land I am obliged by law to protect. These clauses deny principles long accepted in the courts and under various environmental laws that the public interest is best served by affording the community genuine legal rights in decisions that affect biodiversity, environmental health and other values.

- (c) Clause 423 and 424, which restrict matters that the Land Court can consider and give these powers, such as to consider the 'public interest', to the Minister.

As the Environmental Defenders Office Qld has pointed out, 'Decreasing judicial oversight, increasing ministerial powers and shutting out community participation has worrying implications for corruption.' I am far from alone in having no confidence that ministers will consistently act in the public interest.

- (d) Clause 429, which removes restricted land status when the miner is granted exclusive surface rights to access land.

This further reduces the rights of affected landholders.

I urge the committee to recommend that the proposed changes undermining existing community rights to be notified and to object in the Land Court to mining proposals be rejected.

Yours sincerely



Carol Booth