



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

By email to: AREC@parliament.qld.gov.au

9 July 2014

Dear Sir/Madam,

Mineral and Energy Resources (Common Provisions) Bill 2014

Thank you for the opportunity to make a submission to the Committee. Friends of Felton is a community group based at Felton, 30km south west of Toowoomba, on the Eastern Darling Downs. Since our formation six years ago, we have been at the forefront of efforts to protect productive farmland, the environment and rural communities from inappropriate mining development. Having been successful in our campaign to protect our own patch from mining, thanks to the intervention of Premier Newman, we have put most of our energy into promoting our region as a food bowl, highlighted annually by the Felton Food Festival, which has grown in a short time to become a major regional event, with 10,000 visitors this year.

At the same time, we have done our best to assist other farming communities facing similar threats. We have made a number of submissions on the conflict between farming and mining to various parliamentary committees in the past, and have become accustomed to our requests for balance, fairness and moderation falling on deaf ears. For that reason, this submission is relatively brief, and we will stick to our main points of concern, which have serious implications for farmers in Queensland.

We consider public objection rights to proposed mining developments to be a basic human right and are concerned that any restriction on those rights is unfair and would greatly increase the risk of corruption in the future.

We therefore oppose the following clauses

- **Clauses 418 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, is absurd and unfair. 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.

- 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 projects¹ in Queensland. This is unacceptable and fails to recognise the positive impact of community objection rights.

- 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.

In conclusion, we call on the Committee to approach the proposed legislation with a view to empowering communities to take responsibility for the long term interests of our State. It has long been accepted in Queensland that any person or group is entitled to object to any mining proposal in open court, to have the evidence scrutinised about the benefits and detriments of a proposed mine. We consider this to be a question of basic fairness, and 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.

Yours sincerely,



Vicki Green (President)

¹ Discussion paper, p 7.