

## Susan Beetson & Jeff Hawley

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8 July 2014

The Research Director  
Agriculture, Resources and Environment Committee  
Parliament House  
George Street  
BRISBANE QLD 4000  
By email to: [AREC@parliament.qld.gov.au](mailto:AREC@parliament.qld.gov.au)

Dear Sir/Madam,

Mineral and Energy Resources (Common Provisions) Bill 2014

My name is Susan Beetson. I am in the over 50s age bracket, currently completing a PhD and have employment when my Thesis is submitted. My husband and I live in Forest View Estate, Bauple Forest which is a small rural/residential development of 347 parcels of land averaging two (2) acres. We moved here for the liveability of our region which was developed out of the Bauple State Forest in the 1970s. It is abundant with a myriad of diverse native fauna and flora including many endangered species including *Macrozamia Paulii*.

Forest View Estate, Bauple Forest is part of the Southern Fraser Coast Hinterland Community. The drive to our local shop is equidistant between two options, one in Tiaro and the other in Gundiah, both of which sit within our Southern Fraser Coast Hinterland Community.

Our entire Community also sits within an area named by UNESCO as "The Great Sandy Biosphere". It has been named this because of the unique and intact bio-systems which exist in our region. On 8 November 2009 UNESCO stated: "The proposed Great Sandy Biosphere incorporates a large sand system supporting a diversity of plant communities including colonising plants, open woodlands, very tall eucalypt forests, rainforests and low, shrubby heath. The distribution of these communities across the System's landscapes is intimately related to the distribution of the soils that have developed on the various dune systems. A number of major river systems flow through or into the proposed Biosphere including the Noosa, Mary, Susan, Burrum, Elliott, Burnett, Gregory and Cherwell Rivers. Urban areas include the regional centres of Bundaberg, Hervey Bay, Gympie and Maryborough. Rural and agricultural areas support sugar cane, horticulture, forestry and animal grazing, while the adjoining coastal zone supports tourism and fishing activities. All of the Fraser Island World Heritage Area and Great Sandy Strait Ramsar site occur within the nomination boundary. The permanent human population is approximately 213,400, with around 950,000 seasonal visitors. The proposed Biosphere includes National Parks, Conservation Parks and Forest Reserves, the Wide Bay Military Reserve, remnant vegetation under the Queensland Government's Vegetation Management Act, the Great Sandy Marine Park and a matrix of freehold land, unallocated State land and leasehold land."

No exclusion zone has been identified around our Southern Fraser Coast Hinterland Community. Although some of our region includes Sugar Cane Agriculture and Farming, no strategic cropping land has been identified. We believe the omission of an exclusion zone around our Southern Fraser Coast Hinterland Community is a mistake which needs to be corrected.

Coal Exploration Permit has been granted to Jindal Steel (an Indian company) over the top of our property and extends over all of Bauple Village, Forest View Estate, Bauple Forest and Glenwood Village.

Only 8kms from our front door Coal Exploration Permits have been granted to Tiaro Coal which covers approximately 20344 hectares and 19450 hectares totalling ~39794km<sup>2</sup>. These exploration permits sit



within our Southern Fraser Coast Hinterland Community. These exploration Permits also sit well within UNESCO named Great Sandy Biosphere. Tiaro Coal's exploration Lease is only 2kms from Mount Bauple which is considered a valuable scientific research resource for the origins of the macadamia nut. The Mount Bauple National Park's 2011 Management Plan states: "The park will remain unaffected by built environment and recreational or commercial activities so that natural processes can continue unaltered by inappropriate human intervention."

My husband and I moved to this region because we want to live a healthy life in the Country and my husband wants to engage in permaculture, regenerating our land and growing our own food. Both healthy lifestyle and permaculture relies on fresh clean air, clean soil and clean and frequent rainfall with healthy rivers and aquifers. All of which we currently have in our Community and across our entire region.

I vehemently oppose and am sincerely concerned about Clauses 418 and 420 which remove existing Community notification rights and rights to object to mining lease applications. I object because I am very concerned about the future health of both my Husband and myself. We purchased in this area because of the liveability, the rainfall and weather conditions and the suitability for my husband to engage in his permaculture business. We intended to live out our long and healthy lives in our home here in Forest View Estate, Bauple Forest Queensland.

Being only 8km distance from an Open Cut Coal Mine means we will be exposed directly to Coal dust completely covering our property and everything on it. We rely totally on rain water collected from our roof. Our roof will be covered in Coal dust and washed into our water storage tanks. Our food will also be covered in dust particles from the Open Cut coal mines if they go ahead and we will not have an opportunity to object despite being directly affected. The air will be polluted with coal and other dust particles. We are very concerned about the proven increased heart and lung conditions through breathing and ingesting Coal and other dust particles as a result of Open Cut Coal mining.

This 8 km distance from an Open Cut Coal Mine means the entire region from a natural native bushland and hinterland will be changed to an Open Cut Coal Mining industrialised wasteland. The traffic will be significantly increased in our area on the Bruce Highway. Accessing our local shop will have an increased risk and danger given the already dangerous Bruce Highway is our only means of accessing these shops. Clearing any size of land for an open cut coal mine which could extend to ~39794km<sup>2</sup> will have a negative impact on our entire region by reducing the average rainfall. This region has been considered to be in drought for some time now. The liveability of our home and our region will be completely different to what it is today and could continue to be in the future.

We believe we have the right to be formally notified of any proposed change to the liveability of our Community and our entire region and that we also have the right to formally object and to take the matter to Court if necessary. We also believe anyone has the right to be formally notified and also submit formal objections and appear in Court to assist and advocate for Community members and the rights of entire Communities.

Thank you for the opportunity to make a submission to the Committee.

Even small mines may last for decades and have serious impacts on our finances, ecology, environment and society. Public objection rights are powerful rights to go to court, unlike mere consultation. Public objection rights to proposed mines are essential to enable the costs and benefits to be debated openly in Court and to deter the type of corruption exposed in New South Wales. I say do not change those existing rights under Queensland law.

So I 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. 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.


- 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 p47-48 of the explanatory notes.

Yours sincerely,

  
Susan Beetson & Jeff Hawley