



11th July 2014

The Research Director
AREC
Parliament House
BRISBANE QLD

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Mineral and Energy Resources (Common Provisions) Bill 2014

AgForce is the peak lobby group representing the interests of the cattle, sheep and wool and grains industries in Queensland. Producers across the State have been presented with massive environmental, physical, economic and emotional issues due to the unprecedented development of the mining and coal seam gas industries in Queensland over the last few years.

While AgForce certainly supports the reduction in the red and green tape philosophy of the current State Government we believe co-existence between the resource sector and the agricultural sector can only occur if the regulatory systems allowing approvals and operations of these resource industries is fair and if bargaining power is equitable. Any reduction in bargaining power or "rules" applied by regulatory systems will be taken by producers as a watering down of their rights. It is with these principles in mind that AgForce responds to the two discussion papers that discuss proposed changes to existing resource legislation.

Some of the major policy objectives in this Bill are of great interest to our constituents as follows.

1. MQRA Program: please refer to our previous submission which is attached to this email which highlights our key concerns.
2. Land Access Implementation Committee report. AgForce was heavily involved in the process of providing recommendations to the Minister on this report. We support the Ministers recommendations via this Bill but note that the opt out clause in relation to signing a CCA must come with stringent processes whereby landholders are fully informed of what rights they are waivering.
3. Implement a consistent restricted land framework across all resource sectors. While AgForce certainly supports processes which simplify complex legislation across different but similar frameworks the concern is that at no point should this reduce landholders rights in the area of resource activity on their property. If there is to be commonality it should be based on whatever is the highest level of landholder rights available in whichever current Acts. Our previous submission highlights some of our key concerns (see attached). In other words any changes should not be watered down to the point whereby there is no practical outcomes for landholders.

4. Establish a new overlapping tenure framework for Queensland coal and CSG industries. Currently many producers have overlapping tenures which leads to confusion and excess time managing outcomes with competing resource Companies. A more streamlined tenure process may limit stress on landholders where uncertainty prevails about when and how tenure holders will implement their activities.
5. No comment
6. Small scale alluvial miners exemptions should be handled carefully to ensure landholders are still fully informed of potential activities on their land.
7. No comment
8. No comment
9. No comment
10. Legacy boreholes is an issue that AgForce members have been concerned about for some time. Given complexity of liability and old tenure holders vs new it is imperative that some clarity be provided in legislation to enable responsible action on fixing these boreholes. AgForce would welcome changes that improve the ability for the Department of Natural Resources and Mines to authorise remediation of these boreholes on a more consistent, urgent basis.

SUMMARY:

Development of Queensland's rich resources (whether agricultural, mining and gas, tourism or others) is vital to the economic stability of the State and its people. Certainly reduction of red and green tape for business is a good aspiration and one that assists all business's. However where agriculture and mining overlap there needs to be caution in terms of ensuring the "David and Goliath" battle (as it is perceived by many in agriculture) does not escalate. For co-existence to work there needs to be a robust process to ensure agricultural producers rights to have control over what happens on and around their land.

Yours sincerely

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25th March 2014

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1. Submission on Towards the Standardised Consent Framework for Restricted Land across all resource types:

Points of serious concerns:

- (a) Exclusion of important property/farm infrastructure from protection. The removal of principal stockyard, bore or artesian well, dam and artificial water storage is cause for concern. This infrastructure is critical to the operation of a grazing enterprise. The ability for a resource company to operate within 50 metres of any of these could raise significant operational issues and expose producers to a number of risks. It also reduces their ability to negotiate operational issues with the resource company.
- (b) The 600 meter rule removal. The current system allows landholders to negotiate with resource companies about activities within 600 metres of the homestead. The removal of this would reduce opportunities for landholders in an area that is of paramount importance in terms of living conditions and running a business.

2. Mining Lease Notification and Objection Initiative :

Points of serious concern:

- (a) Reduction in public notifications. The development of large resource projects often impacts on neighbouring properties as well as the directly impacted landholders. While the current system has allowed for particular interest groups objection rights (when they may not necessarily be impacted but have philosophical objections) the removal of these notifications will mean landholders in the vicinity who often have legitimate concerns will not be aware of what is about to occur with a particular mining lease that could impact on them.
- (b) Land Court issues. It is vital that landholders directly affected by a mining lease can have unresolved matters of importance dealt with by an authority capable of providing an outcome. The discussion paper is not clear about the possible replacement of some of the Land Court functions. While certainly the current system is an expensive proposition for landholders in terms of resolving disputes any replacement system needs to be accessible, affordable and capable of providing resolution for serious issues.

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The primary concerns with the proposed changes in the two discussion papers can be summarised as loss of rights to object in many circumstances, limited protection for non homestead property infrastructure and reduction in negotiating power (of producers) in general. The overall concern being that a reduction in existing rights will erode further any goodwill between the agriculture and resources sector and will not increase possibilities of co-existence.

Yours sincerely

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