

From: [fiona.hayward](#)
To: [Agriculture Resources and Environment Committee](#)
Subject: Mineral and Energy Resources Common Provisions Bill
Date: Friday, 11 July 2014 4:53:19 PM

Dear Sir/Madam

My family and I are graziers in Central Qld, and have had many dealings with resource companies over the 135 years we have been operating our beef cattle operation. We have 3 gas pipelines running through our property, an open-cut coal mine, and a railway line used for coal transport that is currently being upgraded by Aurizon.

We were therefore very concerned by the original discussion papers (part of the Modernizing Qld's Resources Initiative) dealing with Mining Lease Notification and Objection, and Restricted Land. Our submissions on these discussion papers were lodged in a timely fashion, thanks to a friend who notified us of their existence.

We were rather shocked, however, to realise that the Bill had been before Parliament for a number of weeks before we found out via an article in the Rural Weekly. I immediately found a copy of the Common Provisions Bill, and after reading through some of the relevant sections, my family is concerned that there are proposed amendments to existing legislation that will still have detrimental impacts on how landholders are treated by resource companies.

In consideration of the fact that we submitted on the original discussion papers, I was surprised that we were not given the opportunity to comment on the Bill. It was disappointing to find out today that there was an opportunity for public submission, but we were not informed of it in a timely or efficient fashion. The Bill is 370 pages, which is a lot of information to sift through in a short period of time. I would like to request that you still consider my submission.

Major concerns are that 1) only "directly affected persons" will be able to object to Mining Lease applications. The definition of a "directly affected person" is a landholder whose land is part of the MLA, a landholder whose land will be part of the access to the MLA, and the relevant Local Government. In our present situation, an open-cut mine extension is proposed on land adjacent to our property. If the Common Provisions Bill becomes legislation we are concerned that we will not have objection rights to the MLA, even though the mine will be less than 2km from our homestead, sheds, and cattle yards. Also of concern is 2) the proposed definitions of "Restricted Land" in the Common Provisions Bill. Restricted land is defined in the Bill as (i) a permanent building used as a residence, place of worship, childcare centre, hospital or library: (ii) an area used for a school, cemetery or burial place, or aquaculture, intensive animal feedlotting, pig keeping, or poultry farming: (iii) a building used for other purposes if it cannot easily be relocated, or co-exist with resource authority activities. We believe these changes have the potential to affect landholders throughout Qld who have to deal with resource companies, as at present we are at least able to claim some measure of protection for our stockyards, worksheds, and water supplies such as dams, bores & turkey-nests, etc. But the Common Provisions Bill does not appear to recognise these areas of agricultural infrastructure. We are very concerned as to what this will mean in future negotiations with resource

companies. The playing field is not level for landholders at the moment, by any means, but at least we know where we stand with regard to resource companies and the present legislation. If the Common Provisions Bill is passed it will be the beginning of a series of major changes to legislation affecting resource development in Qld, and will eventually mean the repeal of existing acts such as the MRA, which we are all familiar with. Our fears are that more and more advantages are being offered to resource companies, at the expense of landholders' rights.\

The changes to Restricted Land definitions, and the restriction of objection rights to "directly affected persons" significantly reduce the rights of agricultural landholders, at a time when it is claimed Queensland is looking to triple it's agricultural output to meet domestic and international demands. In the interests of a level playing field, and sustainable agricultural development of this great state of ours, the Common Provisions Bill needs to be revised to include fairer definitions of Restricted Land, and the opportunity for any concerned landholders to retain objection rights.

Regards

Mrs Fiona Hayward

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