

From: [Linda Welch](#)
To: [Agriculture Resources and Environment Committee](#); [Minister for Natural Resources and Mines](#)
Subject: Submissions to the Minerals and Energy Bill 2014
Date: Tuesday, 8 July 2014 8:18:21 PM

I object to Clauses 419 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.

I object to 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).

I object to clauses 234 and 242. 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.

I object to 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.

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