



Office of the Hon Jeff Seeney MP

Deputy Premier

Minister for State Development, Infrastructure and Planning

8 JUL 2014



Dear Mr & Mrs Selmanovic

I refer to recent discussion concerning the impact of mining activities by Callide Mine on your property.

Further information received from the Hon Andrew Powell MP, Minister for Environment and Heritage Protection, indicates that dust concentrations generated from the Boundary Hill operations are complying within the limits specified in the Environmental Authority (EA). Callide Mine is required to provide the department with monthly reports for the remainder of 2014. If the results show an increase in levels beyond the EA limit, then appropriate action will be taken in line with the department's regulatory strategy. The department has also requested that the results of routine dust deposition monitoring be reviewed by Callide Mine to provide further context about dust emissions.

I am advised that departmental noise specialists have reviewed the noise data and identified that noise emissions from Boundary Hill operations are likely to be adversely impacting you during the hours between 7.00pm and 7.00am. The department has advised Callide Mine of its findings to the elevated noise levels and will advise you of the outcome of the investigation once a course of action has been determined.

The Minister has also advised that the department has inspected the drainage system of the mine site and made recommendations to Callide Mine to improve stormwater controls. This should address concerns about the increased rate of sedimentation in Campbell's Creek. I have been assured that the department will continue to monitor the performance and operation of surface water management infrastructure to ensure an acceptable level of sediment reduction is achieved prior to the release of waters to Campbell's Creek.

For your information I have enclosed a copy of the Environmental Authority.

Yours sincerely,



JEFF SEENEY
DEPUTY PREMIER

Minister for State Development, Infrastructure and Planning

Enc

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Landholder Submission on:

Towards a standardised consent framework for restricted land across all resources types Consultation Regulatory Impact Statement

Queries for stakeholders

☐ *Do you support a consistent approach across the resources sector for companies to gain access to private land near homes and other critical infrastructure? If not, why not?*

As landholders, developing a consistent approach to land access by resource companies is something we support in principal. However, as the present framework is well-understood by both landholders and resource companies, any proposed changes would require considerable consultation between people on the land and the resource sector in order for informed decisions to be made, and to allow commentary from all pillars of the Qld economy. This discussion paper has not been widely enough publicised for many landholders to become aware of the proposals and comment upon them. Therefore much more public discussion and consultation needs to be undertaken before proposals can be fully considered.

☐ *Do you support a consistent implementation of restricted land across resource types? If not, why not?*

Consistent implementation of restricted land across resource types is something that, in principal, would be a good step forward. Again, because the current system is what the public and resource sectors currently understand, and because the proposals in this discussion paper are not discussed in great detail, or widely publicised, there has not been enough consultation for the people of Queensland to make informed comments.

☐ *Do you agree with the distances proposed for restricted land? If not, why not? Is another distance more appropriate?*

The proposed distances pose little additional benefits, as most activities by resource companies that would disturb such areas would not be permitted under EA regulations anyway. The increased distances do not compensate for the proposed removal of certain infrastructure as restricted land. Also, the removal of the "600 metre rule" would remove a measure of protection to landholders, as the resource companies would no longer have to negotiate a CCA when conducting activities within 600 metres of an occupied residence.

☐ *Do you agree with the identified infrastructure to which restricted land is proposed to apply? If not, why not? What infrastructure should be included/excluded?*

We **do not** agree with the identified infrastructure to which restricted land is proposed to apply. The existing definitions of restricted land include infrastructure such as bores, dams, stockyards etc that are important to the continuity of landholders' commercial operations. Removing this infrastructure from the restricted land provisions would be highly detrimental to landholders businesses, would potentially lessen resource companies impetus to conduct fair negotiations with landholders regarding access and compensation, and would have flow on economic and social affects that have not been considered in this discussion paper. Restricted land definitions need to include all Category A, and Category B land as currently defined in the MRA.

☐ *Do you have another proposed approach?*

Unless a more concerted effort is made to consult with landholders, and landholder industry bodies such as AgForce, and other industries in Qld that may be affected by the proposals, we propose leaving the current framework in place.

☐ Do you agree with proposed parallel amendments to the threshold for requiring a CCA, in particular with for no/low impact activities regardless of distance from a residence? If not, why not?

As there is no definition provided for low impact activities, we **do not** agree to amendments to the CCA threshold. The definition of low impact activities needs to be clearly established before discussions of the CCA threshold can take place.

☐ Are there any on-ground scenarios where the proposed approach will result in 'unintended' or 'unworkable' outcomes? Please provide examples.

An example of an on-ground scenario where the proposed approach would result in an 'unintended' outcome would be the following: A small-scale farmer in a drought-affected area, who was unaware of the proposed changes, is notified by a resource company that they are taking out a MLA on part of his property. He does not object, as a) he cannot afford the legal costs of an objection b) his homestead is not included in the area of the MLA and c) he believes that the restricted land provisions will enable him to safeguard his infrastructure, which includes 2 dams. The Mining Lease is granted, and the resource company enters into negotiations to compensate him for the loss of land, which includes his dams which until now he thought could be protected under the restricted land provisions, which had been in place since 1989. The landowner is shocked, unable to afford legal advice, already suffering depression due to the drought, and believing there is no hope for his farm, he consequently commits suicide before negotiations can be completed. The entire process is then placed on-hold while investigations into his death are carried out, delaying the outcome for the resource company.

Conclusion:

Based on our experience as landholders in Queensland, we submit the above response to the paper:

"Towards a standardised consent framework for restricted land across all resources types Consultation Regulatory Impact Statement"

Furthermore, it is clear that "Previous consultation" on the issues discussed has mostly been carried out with resource industry representatives, and takes into account their viewpoint.¹ The proposals would make significant changes to the way landholders deal with, and are dealt with, by resource companies, and in many instances would disadvantage landholders with regard to "restricted land". The proposals need to be reconsidered, and require a much wider public consultation period before they can be considered adequately reviewed by the people of Qld.

Name	Address	Signature	Date
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¹ "Previous consultation" p.19 of the CRIS

Date: 19/08/2014

To whom it may concern,

We Peter John Selmanovic and Rhonda Joy Selmanovic of [REDACTED]
[REDACTED] give permission for Fiona Hayward to represent and speak on our behalf at this
public hearing(20/08/2014). We are unable to attend in person at such short notice.

Yours Sincerely,

Peter Selmanovic and Rhonda Selmanovic
[REDACTED]

Witness: Gregory Holzhauser
[REDACTED]
