

## **AgForce Queensland Industrial Union of Employers**

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Mr Robert Hansen  
Research Director  
Agriculture, Resources and Environment Committee  
Queensland Parliament

Submitted via email: [robert.hansen@parliament.qld.gov.au](mailto:robert.hansen@parliament.qld.gov.au)

### **RE: Submission to the Mines Legislation (Streamlining) Amendment Bill 2012**

AgForce Queensland was established in 1999 and is the peak body representing farmers, and more broadly, agriculture in Queensland.

AgForce represents thousands of Queensland beef, sheep and wool, and grains producers who recognise the value in having a strong voice. These broad-acre industries manage 80% of the Queensland landmass for production and most rural and regional economies are dependent on these industries directly and indirectly for their livelihood. AgForce delivers key lobbying outcomes and services for members and presents the facts about modern farming to consumers through the *Every Family Needs A Farmer* campaign.

Before we take this opportunity to provide feedback and comment to the committee on this legislative review submission, we would like to highlight the ridiculous timing of purported consultation with the community. To provide such a short timeframe is not conducive to appropriate consultation. To further not include the broader land use sector throughout the development of the legislative arrangement, but to include directly the industries that this review will favour, is tantamount to negligence. No landholder, agricultural, environmental or community group appears to have been consulted throughout this process – only the mining and resources sector. This is cause of great concern to AgForce.

This precludes these groups not only from participation in the development of this new framework, it also does not provide an appropriate amount of time to fully unpack and interrogate the contents of the proposed framework, thus hindering organisations like ourselves from making in depth comment. To this end, the principles discussed within this submission will be heavy on questioning, light on preferred or deliverable outcomes, and at times from a position of lack of understanding due to the timeframes of consultation – a process that AgForce, on behalf of landholders across Queensland requests the Government to not undertake again.

Understanding that we are discussing legislative frameworks that will directly impact two of the Government's four pillar election campaign – one perhaps positively, the other potentially negatively – questions the ongoing role of consultation and negotiation leading into the future.

The following outline some of our concerns. Please do not consider this a complete or in depth list, as the timing has not allowed further development of appropriate positions.

### **Urban & Protected Areas Restrictions**

AgForce is disappointed to see the removal of the Urban Restricted areas component of development control within the proposed Bill. These frameworks are important for the longevity and continuance of many of the rural and regional areas that support our farming community – to see these developments go unchecked due to the removal of these restrictions would be derelict. AgForce is sure that many of the other submissions to this process will include issues pertaining to the exclusion of these details from the proposed Bill.

Further to this is then the way in which the environmental restricted and protected areas are managed under this proposal, or indeed, how they are not addressed. It is difficult to understand how a Government can work with a landholder to provide for an in perpetuity nature conservation covenant over a parcel of land, and provide for its protection in a manner commensurate with that of a National Park, yet legislation such as this does not recognise or include that protection. This legislation should recognise the legislative instruments that are used for the protected areas, and provide for their exclusion of these under this amendment. This should recognise not only the current activities exclusion on these protected areas, but also exclude any further development work under a resource tenure, or progression within, that will impact in any way the conservation values identified within the covenants.

### **Binding Nature of Agreements**

AgForce supports the construct of a framework that allows the landholder some position over the effect that these developments will have on their land. To this end, AgForce supports the inclusion of proposed s961 so that existing landholder provisions and agreements are non-binding on future landholders, thus providing a new landholder the opportunity to negotiate a position and agreement that will be more amenable to the farming practices they wish to develop across their land. As properties change ownership, so does farming practice, and at times farming systems. The inclusion of this clause will allow greater certainty for the sale and purchase of productions systems across the landscape.

### **Proposed New Ministerial Powers**

Further to this, AgForce does not support proposed amendment s290. As the committee is aware, this section gives sole approval for the granting and continuation/renewal of all mining leases to the Minister, and not the current process of the Governor in Council, ie the Cabinet acting on the advice of Ministers. Whilst this is in no way a misguided interpretation or indeed a questioning of the Ministers capacity, surely from a Governance perspective this is a process better undertaken by a greater number for the greater good, not just an individual? AgForce requests that this clause be deleted from the amendments.

These issues above highlight the most concerning that AgForce has developed due to the restricted timeframe for deliberation of this amendment, and should not be considered as an exhaustive list of concerns on behalf of the agricultural sector.

AgForce requests the Government, through this committee, to undertake an appropriate amount of consultation on these proposed amendments, and for the committee to take this proposal back to the community for further comment and opportunity of input.

For any further enquiries or clarifications as to this submission please do not hesitate to contact me on (07) 3236 3100 or electronically at [wagnerd@agforceqld.org.au](mailto:wagnerd@agforceqld.org.au)

Yours sincerely

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