



Mackay Conservation Group

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Research Director
Infrastructure, Planning and Natural Resources Committee
Parliament House
Brisbane Qld 4000

Dear Chair and Committee Members,

Submission on Mineral and Other Legislation Amendment Bill 2016

The Mackay Conservation Group (MCG) would like to thank you for the opportunity to make a submission to the Mineral and Other Legislation Amendment 2016 (MOLA Bill).

We are pleased that the Palaszczuk Government is achieving their election commitment to restore objection rights to mines through introducing this Bill to parliament.

The MOLA Bill (2016) is particularly important to the Mackay Conservation Group as we are the peak regional conservation group for our region and represent many environmental and community groups as well as individual members.

On a regular basis, MCG is contacted by people living and working in the Bowen Basin (many of who wish to remain anonymous) about their concerns of the impact of mining on the environment including the exploitation of water resources.

In the past the MCG has raised the community objections about the impact mining has had on the flora, fauna and ecosystems; we have raised concerns about the impact that shale oil mining has on the reef; we have campaigned to assure mining companies live up to obligations of rehabilitation under their Environmental Authorities; as well the impact that climate change and sea level rising will have on Mackay and our coastal environment.

For these reasons, we recommend that the Committee supports the passing of those clauses of the MOLA Bill which ensure that:

- community objections rights are fully reinstated for all mining proposals; and
- the full list of criteria for consideration for the grant of mining leases are fully reinstated for the Land Court, as for the Minister, including the financial and technical capabilities of the proponent (for example clauses 92 and 93).

The Land Court hearings for the Carmichael Coal Mine and other current objections being heard by the Land Court have rested on there being an ability for all of those people concerned with the impacts of mining being empowered to have their concerns heard by an independent court, free of political pressures.

Mining projects can have significant and wide ranging economic, social and environmental impacts on much more than just the neighbouring landholders, for example:

- The question of the appropriate land use for our scarce high value agriculture land is relevant to all of Queensland; and
- The impact of climate change from the burning of coal produced from these mines is of global concern.

Community objection rights are crucially important in the public interest so the costs and benefits of projects with huge impacts can be debated and tested in the independent Land Court.

This ensures the best environmental, economic and social outcomes from such projects. We must remember that mining resources are the public property of all Queenslanders, so these projects should be assessed with regard to the concerns of all Queenslanders who wish to have their concerns heard.

The Mackay Conservation Group suggest that the Committee recommend the reconsideration of the following elements of the Common Provisions Act and the MOLA Bill, which continue to restrict landholder rights:

Remove coordination of public notification periods which limit opportunities to provide submissions – repeal section 260 Common Provisions Act: MCG does not support the efforts to coordinate public notification into one period for the mining lease, environmental authority and EIS. This means that we would only have one specific timeframe in which to provide their comment – removing any back up that they might otherwise have had should they not be able to provide a submission in time during the public notification on either the application for the mining lease, the EIS or the draft environmental authority, as was previously available. Many community members are used to mining leases being notified after the EIS has been finalised.

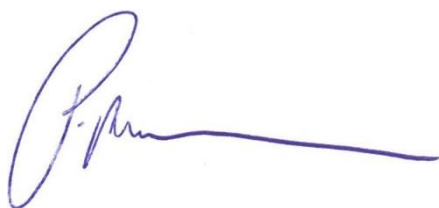
Remove landholders' 'right to elect to opt out' of rights – repeal section 45 Common Provisions Act: Opt out agreements open up the possibility for landholders to be bullied into giving up their right to obtain a Conduct and Compensation Agreement. This in turn would mean the landholder has no recourse to the Land Court if there is a material change to the activity. There is little benefit provided to landholders through this provision, and substantial risk. This section should be repealed.

Prescribed distances for restricted land should be increased – amend clause 7 MOLA Bill: While we support the insertion of prescribed distances within which certain resource related activities cannot occur, the proposed restricted distances are inadequate to truly protect landholders from the significant impacts of mining activities.

The Mackay Conservation Group would like the opportunity to appear before the Committee in their hearing into this inquiry.

Thanks you for your time, and we look forward to discussing these issues with you further. Please do not hesitate to contact myself should you require any further information.

Yours sincerely



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Sent via email to: ipnrc@parliament.qld.gov.au