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8 April, 2016

Research Director  
Infrastructure, Planning and Natural Resources Committee  
Parliament House  
George Street  
Brisbane Qld 4000  
**By email to: [jpnrc@parliament.qld.gov.au](mailto:jpnrc@parliament.qld.gov.au)**

Dear Research Director,

**POWERLINK QUEENSLAND SUBMISSION  
MINERAL AND OTHER LEGISLATION AMENDMENT BILL**

**1. Introduction**

- 1.1 This submission is made on behalf of the Queensland Electricity Transmission Corporation Limited trading as Powerlink Queensland (**Powerlink**) and has the support of Ergon Energy Corporation Limited.
- 1.2 Powerlink is a government owned corporation that owns, operates, develops and maintains Queensland's high voltage electricity transmission network. This network, along with other infrastructure, is recognised in the State Planning Policy (**SPP**)<sup>1</sup> as driving the economy and providing essential services and facilities to communities across the state.
- 1.3 The dual requirements for the protection of electricity infrastructure assets and corridors and facilitation of electricity infrastructure delivery are important considerations for the creation and amendment of Queensland legislation.
- 1.4 Powerlink's interest in the *Mineral and Other Legislation Amendment Bill* (**the Bill**) is ensuring any proposed amendments support, and do not compromise, the effective and efficient delivery and protection of electricity infrastructure.

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<sup>1</sup> In particular, in the Energy and Water Supply State Interest

## **2. Powerlink's Submission**

- 2.1 Overall Powerlink supports those provisions of the Bill that repeal yet to commence provisions within the *Mineral and Energy Resources (Common Provisions) Act 2014 (MERC Act)* which limit notification and objection rights for mining projects and which would have allowed a mining lease to be granted over restricted land where landholder consent has not been given and/or compensation has not been agreed.
- 2.2 Powerlink recognises and supports the co-existence of mining activities and Powerlink's infrastructure and activities however, it is important that mining proponents work with Powerlink to ensure any mining activities do not compromise the effective, safe and efficient delivery and protection of electricity infrastructure.
- 2.3 In addition to Powerlink's overall support identified above, Powerlink makes the following submission in relation to specific provisions of the Bill.

### Proposed amendments to the definition of "restricted land" and omission of section 71

- 2.4 Powerlink supports the proposed amendments in the Bill to the definition of "restricted land" and notes that Powerlink's substation sites would be protected under the definition as "land within 200 metres of a permanent building used for a business".
- 2.5 Powerlink also supports the ability in the proposed definition of "restricted land" to allow a regulation to prescribe other areas, buildings or structures to be "restricted land". Powerlink submits that it would be appropriate and would align with the SPP for Powerlink's transmission line corridors containing power line structures, poles and conductors to be recognised as "restricted land". Most of this infrastructure is located within Powerlink easements but is on land not owned by Powerlink. Consequently Powerlink can be at the disadvantage of not always being aware of an application for resources tenure and not having a level playing field from which to negotiate co-use arrangements with a resources entity. If mining operations proceed in close proximity to these assets without the proper co-use arrangements in place this infrastructure can be at risk of failure (e.g. from subsidence, dust, vibration etc) resulting in major electricity supply interruptions and costs for the State and Powerlink.

### Proposed amendments to section 252A of the MERC Act

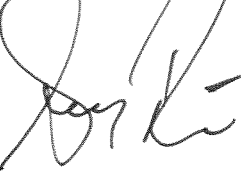
- 2.6 The Bill proposes to replace section 252A of the MERC Act (which has not yet commenced) with a new section 252A.
- 2.7 Section 252A of the MERC Act provides for an applicant for a proposed mining lease to give notice of the application to "an entity that provides infrastructure wholly or partially on the subject land". "Infrastructure" is defined in that section to include infrastructure relating to the transmission of energy.

- 2.8 The replacement section 252A in the Bill removes the requirement to provide notice of the application to an infrastructure provider. Whilst the replacement section provides for notice of the application to be published in a newspaper circulating generally in the area of the subject land, that method of notification is not as direct for Powerlink as the current drafting for section 252A. In addition, the current drafting of section 252A ensures Powerlink is notified of a mining lease application where it has transmission line structures on the subject land and not just where it is the registered owner of the subject land.
- 2.9 Powerlink submits that any amendment to the current wording of section 252A should include the requirement to give notice of a mining lease application to “an entity that provides infrastructure wholly or partially on the subject land”.

**3. Further Consultation/Clarification**

- 3.1 Powerlink is happy to elaborate on or clarify any aspect of this submission and welcomes any further consultation opportunities on this subject matter.

Yours sincerely,



Greg Rice

**Executive Manager – Infrastructure Delivery and Technical Services**

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