



Speech by

Ray Hopper

MEMBER FOR CONDAMINE

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GEOTHERMAL ENERGY BILL

Mr HOPPER (Condamine—LNP) (8.37 pm): I want to congratulate the shadow minister for his in-depth contribution crossing every part of this legislation. This bill introduces a new legislative regime to govern large scale geothermal energy exploration and production projects in Queensland. The bill also introduces a new land access framework, which has been long awaited, that will modify the process of resource company and primary producer engagement in Queensland and is expected to provide a more uniform and strengthened framework for access by the resource industry to agricultural land.

Tonight I will be speaking about several elements of this bill, including land access. The recent release of the Land Access Policy Framework was welcomed by the LNP. Land access is a critical part of all negotiations between resource companies and landholders and one that has become extremely contentious in many areas of my electorate. The former electorate of Darling Downs and the now electorate of Condamine will have a massive impact coming upon us in the very near future. Our landholders are going to be impacted very heavily, and we must get this right tonight. This government was disappointingly slow in actioning the framework.

Mr Robertson: We have been careful.

Mr HOPPER: Very disappointingly slow.

Mr Robertson: We have been very careful.

Mr HOPPER: Very disappointingly slow. We have seen many instances where you people did nothing. You people did nothing. We met with you. We had many deputations to ministers—

Madam DEPUTY SPEAKER (Ms van Litsenburg): Order! I ask the member to direct his comments through the chair.

Mr HOPPER: Madam Deputy Speaker, they did absolutely nothing. It was not until we had deputations come down here to meet with the minister that some action was put in place. This bill is the fruit of very hard work by the likes of the member for Warrego, the member for Callide and me. We put pressure on the government to represent our primary producers, which it should have done over the past few years. Finally, we have legislation that is a touch towards what it should be.

This government was very slow in putting together this framework. In some cases, farmers were extremely vulnerable to the resource companies that want to access their land for exploration purposes. Some of our landholders have felt not only exploited but also violated.

A government member: Violated?

Mr HOPPER: Yes, absolutely. Those people over there would not have the slightest clue. Land access remains a complex issue for many landholders. It is very difficult for landholders to accept that the land of which they have been the custodians for decades can suddenly be occupied by another entity. It is exactly the same situation as a person owning a home in Brisbane and then someone comes in and says, 'I'm going to use that bedroom.' That person says, 'No, you can't', but then all of a sudden by law they can. That is simply unacceptable.

Tonight, we see legislation to address some of these problems. I ask members to imagine themselves as a landholder whose land is suddenly occupied by another entity. This intrusion is disturbing for landholders, which is totally understandable. Rightly or wrongly, they feel that their property rights are being worn away. They feel that their property rights are being taken from them.

Mrs Sullivan: No land comes unconditionally.

Mr HOPPER: I hear them squawk in the background. They have never been confronted with anything like this. There is no way in the world the member has ever been confronted by anything that this bill is trying to address tonight.

Mr Shine: How do you know that?

Mr HOPPER: I know for a fact—

An opposition member: Absolutely—would not have a clue.

Mr HOPPER: Absolutely—would not have a clue.

Mrs SULLIVAN: I rise to a point of order. Those comments were directed at me. I find them offensive and I ask that the member withdraw them. As chair of the Environment and Resources Committee, I happen to know a lot more about geothermal than the member would ever know.

Mr HOPPER: I withdraw.

Madam DEPUTY SPEAKER (Ms van Litsenburg): Order! The member has withdrawn.

Mr HOPPER: I withdraw. Not a problem. The bill addresses many of the land access concerns and seeks to reassure all landholders that their property rights are still intact. Many of my constituents are freehold landowners. It used to be that if you bought something you owned it. Many, many times we have heard Senator Barnaby Joyce say that if you take something without compensation it is theft.

Mrs Sullivan: Does he say a million or a billion?

Mr HOPPER: How rude. I would like my speech to be heard. Those landholders find this situation of a resource company having the right to exercise a resource title difficult to comprehend. The recent landholders information packs that were prepared by the department are a positive step forward to opening up communication channels. We have farmers who have employed people full-time to fight this fight. We also have property owners who are faced with a mining company coming on to their property and they do not know a thing about it. So an up-to-date information pack has been prepared and landholders can access it. That is a good thing. It is not often I congratulate the government.

It is hard for resource company representatives to understand the attachment that primary producers have to their land. It is a long association that spans many generations. The families of many of my constituents have been settled on the Darling Downs for over 100 years. I am from one of those families. Those people are still producing food, foliage and fibre for the people of Queensland and Australia and they are exporting clean, green produce all over the world. These landholders conduct their business in a sustainable manner and find the intrusion of an industry, which has a life span of 20 to 30 years, unsustainable. The only reason Australia did not go into recession was agriculture. Our farmers have it together. They are producing the wealth of this nation and that is the only reason Australia did not go into recession.

In my electorate, the rapid increase in the coal seam gas industry has caused a great deal of angst. Much of my electorate is covered by intensive farming systems involving the growing of highly valuable crops on irrigation farms. These farming systems do not lend themselves to land access for the exploration of resources. The highly invasive nature of the coal seam gas industry provides many challenges and intensive farming systems are not a desirable place for co-existence between the two industries. That is why we have put in place a policy to protect prime agricultural land. We will protect prime agricultural land and lock it up. I note that the government has copied our policy in a lot of ways.

The bill introduces practical and significant changes with the revision of the land access and land compensation regimes. These changes are long overdue and will provide much needed security for landholders. The bill will amend the Mineral Resources Act 1989, the Greenhouse Gas Storage Act 2009, the Petroleum Act 1923, and the Petroleum and Gas (Production and Safety) Act 2004 to apply the new land access provisions to all resource industry titles across the state. As members can see, the bill is responsible for an enormous amount of legislative change, which is why it needs to be right. We must get this right.

I welcome the uniformity that the bill will bring. To date, uniformity has been missing in action, which has probably contributed to some degree to the misunderstanding that has occurred between the resource representatives and the landholders. Once this bill is passed, all authorities and titles under the existing resources legislation relating to land access and compensation will be affected. The bill differentiates between preliminary activities, advanced activities and makes other welcome changes. This distinction for

different requirements is a sensible change that will ensure that the process of miner activities is more streamlined.

The provision of a minimum negotiation period is an appreciated change for landholders. These negotiations must be for a period of at least 20 business days, starting from the giving of the negotiation notice. The entry period is to be no longer than six months irrespective of the type of authority, except if a longer period can be agreed upon by all parties. That means that a negotiation must be put in place. We need to educate our property owners so that they know their rights—that things can only happen through negotiation and that they must agree to it.

The bill addresses the compensation issue and many landholders will embrace these long-awaited changes. Compensation has been and is a point of contention. Each landholder has their own opinion on what is an acceptable amount of compensation. As the shadow minister said before, in some areas no amount of compensation will suffice. Compensation for intensely farmed land is a different issue compared to grazing land. The impact of the resource activity on one farming system compared to another is very different. Farmers in my electorate are fighting for their interests full-time. Are they going to be paid an hourly rate for their time? Under the legislation, I seriously believe that they can charge the mining companies for the time and effort that they have put into protecting their interests, protecting their farming land and protecting their families. Many of the farmers in my electorate are fighting full-time the invasive initiatives that have been put upon them.

This changes the whole situation in relation to compensation. If we realise what we are up against here and what our rights really are, we can actually protect what we believe in. Under the terms of this bill each owner and occupier of the land will have a statutory right to be compensated for all compensatable effects of resource companies on their land. These compensatable effects are to be uniformly defined for all resource authorities. Some of these include the deprivation of possession of the surface of the land, the decrease of the land value, the decrease of the use of their land and the improvements, severance and any cost or loss incurred from the conduct of the resource operations. Compensatable costs include such things as professional costs for accountants and solicitors and also the time that I spoke about that the landholders themselves spend dealing with the resource companies, and the fuel they use. Landholders should be properly compensated for all their costs and losses incurred and this is very long overdue.

This bill proposes a more inclusive system to administer both exploration and production of geothermal energy into the future. Queensland is hoping to expand the production of geothermal energy and this bill introduces a regulatory framework. Overlapping tenures have caused difficulties between various resource companies competing for the same tenure. This bill addresses these overlapping titles. We have seen that west of Chinchilla where two different companies were overlapping and were fighting against each other. On many occasions it has been a big problem. Recently we have seen problems with one of the underground coal gasification projects at Kingaroy. This should alert all of us and cause us to look long and hard at the long-term effects of these relatively new industries.

Only 15 years ago we were talking about importing gas from New Guinea. We did not realise the resource we had. Now the resource is being developed to such an extent that we do not have the technology to deal with it. We need to take a serious look at the problems we are facing. We need to make sure that our precious underground water supplies are safe from contamination. There are 22 towns in the Western Downs shire that rely on underground water. If we allow an industry to go ahead that affects that water, what will we say to future generations when there is no underground water? It is vital that it is scientifically proven that the process of underground coal gasification and coal seam gas extraction can occur without interference to the quality or quantity of our underground aquifers.

Any changes to legislation that enable closer, more vigilant monitoring of these industries is well received. This legislation tonight goes a step further. As the shadow minister said, we will support this legislation. The LNP has a five-point policy to protect prime agricultural land. I read that policy out in this House a few sittings ago. Our leader and the member for Surfers Paradise, John-Paul Langbroek, came out to Dalby and announced that policy. We are the only party that has said that we will protect our prime agricultural land. We are the only party that has had the nous to do it. I see the primary industries minister sitting across the chamber. We have not heard a word from him. We will protect our prime agricultural land and our farmers.

Included in this framework is a charter of property rights. If something is taken from someone they will be fully compensated. There will be a rural water advisory board that will protect prime agricultural land from all activities. We are not talking only about mining; we are also talking about development. We are going to lock that land up to produce food for the people of this nation. If our underground water aquifers are dewatered or contaminated, we can no longer produce food. We have to be very careful about that when we put legislation in place in this chamber. We are known world-wide for foliage and fibre. We produce clean green food in this nation. We beat every nation in the world with what we produce. It is our duty to protect our land and water. The LNP when in government will absolutely do so.