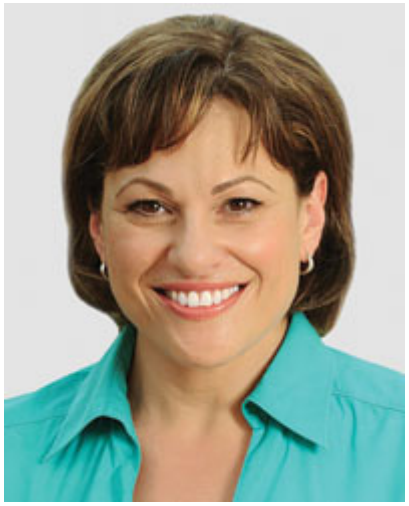

Speech by

Jackie Trad

MEMBER FOR SOUTH BRISBANE

Hansard Wednesday, 22 August 2012

MINES LEGISLATION (STREAMLINING) AMENDMENT BILL

Ms TRAD (South Brisbane—ALP) (4.31 pm): I rise to speak on the Mines Legislation (Streamlining) Amendment Bill 2012. I rise to speak in opposition to the bill primarily due to the nature of the consultation period and also the absence of the restricted urban area clause, which was in the original legislation.

This bill is a very clear example of those opposite once again abusing parliamentary process and refusing to engage in genuine consultation with the Queensland community over significant changes that affect their lives, their livelihoods and their communities.

Mr Dowling interjected.

Ms TRAD: As members present would know, the bill was introduced into parliament on 2 August 2012 and, as the member for Redlands—if he is listening—would know, the bill was then referred to the Agriculture, Resources and Environment Committee of which I am a member. I acknowledge the contribution made by the chair of that committee in this place today. I also want to place on record my appreciation to the secretariat of the committee, namely, Mr Rob Hansen, who has worked within extraordinary time frames and deadlines to meet the requirements of this government to report back to this place on very, very complex pieces of legislation.

The closing date for submissions was 5 pm on 8 August. That was after the bill being referred to the committee on 2 August. This allowed the public less than four full working days to assess, comprehend and prepare written submissions on the proposed bill. To say that this time frame, which was dictated by the government for no apparent reason, has been insufficient is a gross understatement. But more so, it is simply an insulting and offensive gesture to landholders and regional communities right across Queensland. These communities were not given a genuine opportunity to understand the full impact that this bill will have on their lives—three full working days to comprehend, understand, write a submission and come back to the committee on this bill. This is a shame. This is outrageous. It is the most offensive gesture that the government can make to regional communities across Queensland.

Rebecca Smith from the James Cook University set out in her submission—

... it appears one sector of stakeholders—industry—has had a fair amount of pre-Bill consultation while non-industry stakeholders have been left with minimum time ... This factor needs to be addressed for accountable and transparent government for all Queenslanders.

But are they listening? No, they are not listening to the words ‘accountable’ or ‘transparent’. Ms Smith is not alone. Over half the public submissions—15 out of 27—received on the bill raised lack of consultation or lack of time as a serious issue. In fact, I encourage members to go back to the public transcripts and read all of the oral submissions made and read submission after submission centred around the lack of consultation—three full working days to consult on almost 500 pages of changes to law relating to mining approval processes in this state.

It is true that the previous Labor government initiated consultation with industry in its earlier version of this legislation, which was titled the Resources Legislation (Balance, Certainty and Efficiency)

Amendment Bill 2011. Even in the title one can see that there is a completely different emphasis on the nature of the bill. In the bill before the House there is no balance. The previous bill had been referred to the relevant parliamentary committee with sufficient time allocated to properly consult, visit communities and report back to the parliament. However, this is not the only significant difference, as we have already heard in this place today.

The government has also removed the requirement for urban restricted areas from the legislation, and this omission goes to the heart of the quality of life for people living in regional communities. I have heard members opposite interject and suggest that it has not been taken out. Let me quote from the submission of the director-general of the minister's department. During the public hearing he stated—

A number of the amendments contained in the bill are reintroductions from the Resources Legislation (Balance, Certainty and Efficiency) Amendment Bill 2011—the RLA bill—which was introduced into the Legislative Assembly in November 2011.

...

Also, as the committee may have seen from the comparison provided of the RLA bill and this bill, a major change is the removal of the amendments relating to urban restricted areas.

I will say it again—the removal of the amendments relating to the urban restricted areas. He went on—

An alternative approach is being adopted on this issue and the interface between resource exploration around population centres is now being managed through a comprehensive and consultative statutory regional planning framework.

So what we have is protecting regional communities—urban centres—in law, or deferring them to a planning framework. If the minister had the courage to confront regional communities he would ask them where would they prefer their rights to lie—in law, or in a regional planning framework. Where would they like the protection of their community to be—in law, or in a regional planning framework? I am a betting woman and I reckon that people will back the law each and every time.

Let us not just take my word for it. Let us take AgForce's word for it. What does AgForce have to say on the removal of urban restricted areas? In its submission to the committee, AgForce stated—

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.

Who is standing up for the bush?

Mr Stevens: We are.

Ms TRAD: I take that interjection from the member for—

Mr Stevens: Mermaid Beach.

Ms TRAD: Thank you very much, Mr Manager of Government Business in the House. If you are standing up for regional communities, I challenge you to withdraw this bill and take it out to regional communities and consult on it properly.

There is no doubt that many aspects of this legislation will streamline government processes and allow lower cost, delivering wins for both regional communities and the resource industry. This is what the previous Labor government set out to achieve when the last version of the bill was introduced to the House. But I am keen to return to the important issue of consultation—or collaboration, as the minister said in his remarks today.

What did the committee itself have to say about consultation on the bill? I note that the minister was in a rush to alert the House to the fact that the parliamentary committee had recommended that the bill be passed, but the parliamentary committee also suggested that the department should undertake further work to inform landholders and other groups who may be affected by provisions in the bill that is passed by the Legislative Assembly. So 'let us tell people about the laws that we have changed after we have changed them, not before'!

What else did the committee have to say? Well, the committee acknowledged that it has had limited time to examine the bill in depth. So this report, which the chair of the committee said in this place was a great report, lacks the depth, lacks the examination necessary, to give proper deliberation and recommendation around the full volume of the proposed bill. What else did the committee have to say? The committee said—

The development of this Bill would have benefited from wide public consultation during its development and discussions with all stakeholders prior to its introduction in the Parliament.

The words 'consultation' and 'collaboration' easily roll off the tongues of those opposite; they are not easily put into practice. If those opposite were genuinely interested in consultation, they would take this bill

out of this place today, defer its passage and consult properly, genuinely and meaningfully with those people in regional communities who will be affected by these changes to legislation.

I want to take issue with the poor excuse for a joke that was proffered by the member for Lockyer in this place and suggest to the parliament that the biggest joke in relation to this bill is the consultation process, is the parliamentary committee's report in relation to this bill. Three full working days in which to consult with the public of Queensland around changes to mining laws in this state is an absolute joke.

Of course, we know that the committee was always going to recommend the passage of this bill, don't we? The committee is overwhelmingly stacked with members of the government's caucus—members of the government who are collecting thousands of dollars on top of their base salaries because they sit on a committee, rubber-stamping whatever the government throws their way. Just like good puppy dogs, they tick and flick. I challenge those members to go back to their communities, stand up and say, 'We gave you nothing in terms of protecting your urban area, nothing in terms of protecting your community. To make matters worse—to rub salt into the wound, to add insult to injury—we threw out three full working days for you to consider this bill, have a think about it and come back to us with any proposed changes.' What a joke!

The biggest joke is that landholders were given three full working days to provide feedback on this bill. Graziers were given just three full working days to consider the bill and provide feedback. Farmers were given just three full working days to consider the bill and come back to the parliamentary committee. Environmental groups were given three full working days to consider this legislation in full, deliberate and come back to the parliamentary committee. I contend that that is the joke in this place. That is the joke in terms of the parliamentary committee process and that is the joke in relation to this government.

As AgForce set out in its submission to the committee—

> ... 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.

During my time on the Agriculture, Resources and Environment Committee I have diligently participated in numerous investigations, public hearings and briefings. I have sat on this committee and looked into three substantial and complex pieces of legislation that have far-reaching environmental consequences. And each time the consultation period was counted in days—not weeks, not months. The green-tape reduction bill—days. The animal care and protection bill—days.

Mr Stevens: Everyone else is handling it.

Ms TRAD: Really? Is that right? I take the interjection from the Manager of Government Business. I can take it, but the people of the Torres Strait, who were given less than a week to consult on the animal care and protection bill, said that this process was wanting. On behalf of AgForce I come into this place. They said 'ridiculous timing' and 'negligence'—their own words. It is not conducive to the long-term survival of regional communities, and all of those opposite will wear that stain.

By the time this bill was presented to the Agriculture, Resources and Environment Committee I had had a gutful. I refused to blindly follow along, like the other committee members had—rubber-stamping whatever the government manipulated through the committee system, to push their political agenda through this parliament without scrutiny and without any accountability. The only honourable thing—the only accountable thing, the only transparent thing—that this government can do, that this minister can do, is withdraw the bill for adequate and meaningful consultation with regional communities—with all stakeholders, not just the mining industry. That is the only honourable thing you can do in the House here today.

Mr DEPUTY SPEAKER (Mr Watts): Order! The member will address her comments through the chair and refrain from using the word 'you'.

Ms TRAD: Thank you, Mr Deputy Speaker. I shall. I take on board your concerns.

The only honourable thing for this government to do is withdraw this bill for adequate, meaningful, transparent, comprehensive consultation with all stakeholders—with farmers, with graziers, with environmental groups, with people living in regional communities, with regional communities that have exploration leases over them.

I contend that the only honourable thing to do is to withdraw this piece of legislation, refer it back to the committee for further consultation and get the committee to stump up to regional communities and let them know that the restricted area provisions in the previous iteration of this bill have now been taken out. That is the only honourable thing to do. I put that challenge to the minister and to this government.