



Speech by


**Jason Costigan**

**MEMBER FOR WHITSUNDAY**

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## **MINES LEGISLATION (STREAMLINING) AMENDMENT BILL**

 **Mr COSTIGAN** (Whitsunday—LNP) (5.14 pm): I rise in the House in support of the Mines Legislation (Streamlining) Amendment Act 2012. It goes without saying that much has changed in the mining industry in this great state since those founding fathers of Queensland first met in this place when mining for gold, in keeping with the times, was all the rage. In the 1970s my hometown of Mackay was well-known throughout the nation as Australia's sugar capital with eight mills within 90 minutes of the city heart. At the start of that decade we also witnessed the birth of the coal industry in the Brigalow Belt in Mackay's hinterland—a huge patch of real estate better known to Queenslanders today as the Bowen Basin, a coal rich area that has largely powered Queensland's economy ever since. How the Mackay-Whitsunday region has changed. It is now the biggest regional economy of the north. In fact, the growth of the resources industry in this part of the world is one of the great success stories in this state's modern history and we should never forget those embryonic days of the Utah Development Company, coupled with Japanese investment and the proactivity and support of the former Bjelke-Petersen government, that made it happen.

In the early 1990s I actually resided very close to the port of Hay Point. It always gave me a great sense of pride back in those days when I would bring visitors up the hill to the viewing platform overlooking the port showcasing the place exporting our black gold to the world. Of course, looking to the future, we need to facilitate sustainable growth of the entire resources industry, not just coal, although suffice it to say that coal is still king in the eyes of many people, especially those in Central Queensland who work in the industry, whether it is driving those giant dump trucks near Blackwater—just like my sister does—or driving trains towards Bowen and the port of Abbot Point which, when I lived in Bowen, would see just a handful of ships coming and going every week, a far cry from what has happened since with the resources boom.

In keeping with the Newman LNP government's resources and energy strategy, that is exactly what this bill is all about: facilitating sustainable growth of the resources sector. To make this happen legislative amendments to resources legislation are needed to make sure resource projects and infrastructure can be delivered efficiently with minimal risk and at the same time maintaining the integrity of the assessment and approval systems. The bill has amendments that have been categorised under four policy objectives which are: clarification of the legislative framework relating to compulsory acquisition of land as it relates to resource interests; implementation of part of the Streamlining Approvals Project; confirmation and clarification of current jurisdictional arrangements in relation to the regulation of hazardous chemical, major hazard facilities and operating plants; and provision of increased regulatory certainty for everyone associated in our emerging CSG-LNG industry.

As the name of the bill suggests, the main focus here is the streamlining and harmonisation of government procedures in the application for documentation, such as exploration permits, authorities to prospect, mineral development licences, mining leases and petroleum leases. The bill also provides much needed reforms in relation to matters such as water produced from CSG operations and the compulsory acquisition of land subject to existing resource interests.

I was not a member of the 53rd Parliament, but from my observations it would appear that this bill is not too different from the Resources Legislation (Balance, Certainty and Efficiency) Amendment Bill 2011,

a piece of legislation that was initiated by the former Bligh Labor government but lapsed with the change of government—a change that has given us a strong mandate to pursue our premier objective: facilitating the sustainable growth of the resources sector.

I turn to the first of our policy objectives, which is compulsory acquisition. A clear compulsory acquisition framework is vital to facilitate timely and fiscally responsible infrastructure developments to support the economic growth of the great state of Queensland. With massive growth in the resources sector—in particular, in the Surat, Galilee and, of course, Bowen basins—the development of road and rail infrastructure is most critical. The compulsory acquisition process will be central to the timely development of those key pieces of infrastructure to support industry growth. Currently, the government is seeking to facilitate the Surat Basin rail project to bring on economic development in that part of Queensland. As part of that process, advice has been received by the government that under the current legislative framework the compulsory acquisition of land extinguishes all resource interests and gives the resource interest holders the right to claim compensation. It is fair to say that for many years resource related activities and infrastructure can and have co-existed in Queensland. For example, exploration for minerals and activities such as CSG production have and will continue to co-exist with development activities such as the building of road and rail infrastructure. The amendments in the bill will clarify the legislative framework relating to the compulsory acquisition of land as it relates to resource interests.

In summary it will, firstly, make it clear the compulsory acquisition of land by a construction authority will not extinguish resource interests, with the exception of instances where a potential or real conflict exists. Secondly, it will give constructing authorities the power to acquire resource interests where there is a conflict with the purpose of the proposed take, for example, a rail corridor—and I will come to more on rail corridors in a moment—that needs to be acquired that would directly impact on the pit of a proposed open-cut coalmine and an alternative arrangement could not be reached with the tenure holder. Thirdly, it will ensure that past compulsory acquisitions of land generally did not extinguish resource interests unless constructing authorities took specific action, such as the issuing of formal notices to intentionally extinguish the interest. Finally, it will provide for a process for the granting of mining tenements over acquired land where the relevant minister is satisfied that the grant of the tenement is compatible with the purpose for which the land was taken.

Without these amendments, projects such as the Surat Basin rail project and other key infrastructure projects could be jeopardised. In fact, they could end up like the Northern Missing Link. I am sure the members for Gregory, Mirani and Burdekin, who have spoken about the Northern Missing Link, would know all about that. The missing link was the section of rail line that, until just a couple of weeks before Christmas last year, did not exist between the Goonyella and Newlands rail systems. For those members not familiar with it, it is the 69-kilometre section of rail that was finally opened by 'Boy Wonder' from Proserpine in his final days in office. Do we remember him?

**A government member:** Where is he these days?

**Mr COSTIGAN:** He is not with me and nor should he be, because he presided over a disaster and he had some mates. Of course, I am referring to the former Deputy Premier—that is right, 'Boy Wonder' from Proserpine—whose government and previous Labor governments had failed to grasp the importance of this vital piece of rail infrastructure in the Mackay-Whitsunday hinterland. This line was talked about in the 1980s, back when I was keeping tabs on those shipping movements at Abbot Point, which in those days was in the Labor electorate of Bowen but nowadays is represented by my good friend and colleague the member for Burdekin. In the early 1990s, I understand that Tim Fischer, the boy from Boree Creek, as some of us like to refer to him, and former leader of the Nationals in the federal parliament—

**Mr Minnikin:** A great man.

**Mr COSTIGAN:** I take the interjection from the member for Chatsworth; he is a great man indeed—called on the Prime Minister of the day, Paul Keating, to fund the missing link. In those days its estimated cost was in the vicinity of \$70 million. Let us compare that to the price tag last year when 'Boy Wonder' finally cut the ribbon. How much did the Northern Missing Link cost? A whopping \$1.1 billion!

**Mr Cox** interjected.

**Mr COSTIGAN:** I can tell the member for Thuringowa that there was no streamlining then. That big project could have and should have been delivered many moons ago. Members can go and ask the Regional Economic Development Corporation in Mackay, or maybe Bowen Collinsville Enterprise or Townsville Enterprise. I am sure they would love to weigh into that debate, as would some of the people involved with those organisations in years gone by, because had it been delivered years ago this missing link would have shored up the coal supply chain from the mines in the Bowen Basin to our ports on the coast, providing flexibility in the process. Therefore, in the event of a derailment on the Goonyella to Hay Point line, which has happened from time to time, perhaps on the Connors Range due to monsoonal rain, natural disaster and so forth, those trains could have been diverted to Abbot Point via the Newlands line and, of course, the Northern Missing Link to ensure that our black gold got to our customers around the world.

This government is all about growing the economy. It is no different to when Peter Costello did exactly that after the mess he inherited when he became federal Treasurer upon the election of the Howard government in 1996. Back then, our federal colleagues in Canberra inherited a debt of \$96 billion or, if you like, around 19 per cent of GDP. That was a pretty damning and shocking statistic at the time, but Peter Costello's fiscal repair work was launched and he got the job done. I am sure I speak for every government member in the House this evening when I say we have every confidence in our state Treasurer in doing a 'Cosi', in paying back that monster Labor debt of \$65 billion, remembering that it could have gone to \$100 billion by 2018-19 unless corrective action was taken. As part of our fiscal repair work on the state's finances, we need mining projects to kick in as soon as practical. Our saving grace is the fact that Queensland is blessed with tremendous mineral, gas and petroleum deposits. However, we must do what I said earlier—that is, facilitate sustainable growth and thus help rebuild our state's finances and ensure prosperity for all Queenslanders.

It is obvious there has been some debate in relation to urban restricted area provisions. For the benefit of members, I bring to their attention what was said at the public hearing on 10 August 2012 when Mr John Skinner, the Deputy Director-General of Mining and Petroleum in the Department of Natural Resources and Mines, explained to the chair the protections afforded by the existing gazette notice and the benefits to smaller communities that would be provided as part of the regional planning framework. Mr Skinner said—

There is an arrangement in place under what is called restricted area 384, which was gazetted in the context that, for any town in Queensland with a population over 1,000 people or more, there be a two-kilometre buffer. That is still in place.

**Mr Cripps:** Exactly.

**Mr COSTIGAN:** I take the interjection from the minister. Mr Skinner continued—

The government has indicated, though, that it sees the statutory regional planning process as a further refinement and development in this space with an emphasis being placed on developing statutory regional plans for the Darling Downs and Central Queensland in terms of the priorities. Work has started on that in terms of using the statutory regional planning process to deal with the issue of interface between the various sectors. That has been a major government priority, as outlined by the Deputy Premier.

The chair responded by saying—

Thanks for that, John. I would imagine that would take in towns of fewer than 1,000 people, too, when they do that planning.

Mr Skinner replied—

That planning takes into account towns of all sizes.

There you go. Under Labor, as far as I am concerned, communities with a population of less than 1,000 people could have been left vulnerable, exposed like a shag on a rock. Communities in Central Queensland such as Alpha and Dingo, and Bluff along the Capricorn corridor—

**Mr Johnson:** In a good electorate, too.

**Mr COSTIGAN:**—represented strongly by the member for Gregory, and I say that because my sister—

**A government member:** Are you after some leave or something?

**Mr COSTIGAN:** No. I say that because my sister might have a problem and I am sure the member for Gregory would be more than happy to see her. He is always fighting for the people of Central Queensland, not just his own electorate.

These are places I am most familiar with thanks to my travels over many years across regional Queensland. Through this government's statutory regional planning framework, it goes without saying that these communities will not be forgotten. I will not speak on all the policy objectives of the bill, but I will say that these amendments will form part of the streamlining approvals project and thereby allow the state's paper based tenure administrative system to be brought into the 21st century by way of an online environment, specifically the MyMinesOnline initiative which allows people, no matter who they are, to see what is actually happening. Online systems that accept lodgement of mining applications will become best practice for resources administration. Other jurisdictions such as Western Australia and New South Wales are also moving to online systems.

In closing, I would like to thank my committee colleagues under the chairmanship of the member for Lockyer as well as the committee staff—in particular, Mr Rob Hansen—for their diligent work and also those people and organisations who provided submissions. These amendments will bring about many positive benefits including making it easier for resource companies to do business in Queensland. Guess what? We are cutting red tape and retaining and improving the investment attractiveness of this state. Queensland under the Newman LNP government is well and truly open for business. I commend the bill to the House.