




Speech by

Jo-Ann Miller

MEMBER FOR BUNDAMBA

Hansard Wednesday, 22 August 2012

MINES LEGISLATION (STREAMLINING) AMENDMENT BILL

 **Mrs MILLER** (Bundamba—ALP) (3.48 pm): This legislation is evidence that, when it comes to the 'N' in LNP, the mining industry comes first. The opposition notes with concern the omission of urban restricted areas in this legislation and that they were included in the previous incarnation called the Resources Legislation (Balance, Certainty and Efficiency) Amendment Bill 2011. This legislation lapsed at the election.

There are many aspects of the Mines Legislation (Streamlining) Amendment Bill, particularly around the streamlining of government processes for CSG, that we support. Some of these legislative changes are sensible and will lower costs for both industry and government. However, I must limit my praise in relation to that part of the legislation. It was the previous Labor government that put in the hard yards to bring about a green tape reduction project to streamline government processes for CSG.

I am sure that this government will be trying as hard as it can to take credit for this legislation, just as the LNP try to avoid taking any responsibility for its plan to increase debt and harp on about debt left by Labor. Just as they stood outside the Airport Link tunnel or at the official opening of the Supreme Court building—

Mr Berry interjected.

Mrs MILLER: And I am hearing the good member for Ipswich, Mr Berry. Oh deary me, how we loved the photo of the member for Ipswich and the member for Mount Coot-tha at the Bremer Institute of TAFE. It was a lovely photo. The day before the member for Ipswich was whingeing and whining about us spending money on good things like the Bremer Institute of TAFE and then he carries on like a lunatic about the so-called debt. We put in all this money in relation to looking after the Bremer Institute of TAFE and you, you hypocrite, member for Ipswich, and member for Mount Coot-tha, have a photo taken of what you criticise. Unbelievable!

Mr RICKUSS: I question the relevance of this. This bill is the Mines Legislation (Streamlining) Amendment Legislation. It has nothing to do with Bundamba TAFE.

Mr DEPUTY SPEAKER (Mr Watts): Order! I remind the member to be relevant to the bill, please.

Mr LANGBROEK: I rise to a point of order. I would like your ruling as to whether the metaphor 'like a lunatic' is appropriate parliamentary language.

Mr DEPUTY SPEAKER: I will ask the member for Bundamba to withdraw.

Mrs MILLER: I withdraw. Member for Lockyer, I thank you for your advice in relation to the bill. I will not miss you either. That is coming later. There are things that Labor would have done differently, however, in relation to this legislation. Labor in government would have consulted properly with farmers, graziers, landholders, environmental groups and the broader community. The government initially proposed just four working days for landholders, graziers, farmers and other community groups to lodge submissions on over 500 pages of legislation and explanatory notes following a three-year long consultative process with the resources industry. The majority of public submissions received took issue with this lack of consultation. In relation to this lack of consultation, page 4 the committee's report states—

The failure to consult stakeholders during the development of the Bill has created widespread concern. 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.

There must be an extended time for public consultation on this legislation for it to have any legitimacy at all. As the member for South Brisbane set out in the opposition statement of reservations, nine working days for the committee to consult, consider and deliberate on more than 500 pages of material as part of this legislation is completely unacceptable in a democracy like Queensland. I note that the member for Dalrymple and Katter's Australian Party, through a statement of reservation, is willing to stand up for regional Queensland landholders and take issue with this. Good on them. It is a pity that, other than the member for Gregory, there are few others in this LNP government willing to do likewise. When the LNP were in opposition, and most members would not even know because they were not here, we also heard the member for Condamine and the member for Warrego stand up for regional landholders. It is now becoming a very bad habit of this LNP government to use the committee system as a rubber stamp. There they go, rubber-stamping the legislation and to consult in name only and not in practice. With such a strong parliamentary majority, Queenslanders should be concerned with this habit. I can tell members I know they are.

I do not take issue with my good friend and neighbour, the member for Lockyer, because we do share a border at Ripley. I do not take issue with the chair of this committee because the chair of this committee sometimes takes personal offence.

Mr Rickuss: Very rarely.

Mrs MILLER: He takes personal offence so I do not take issue with him, but I do take issue with the government. This government should be concerned by the genuine criticism from stakeholders across the community that they are not consulting adequately. We do not want the LNP telling us that it is not concerned about a lack of consultation, as they seem to do when the community disagree with them. What we ask is that this government starts listening to the community, and listening means opening both ears. One area where the government might benefit from listening is in the removal of the legislation for urban restricted areas. There were public submissions from AgForce, the Friends of the Earth, the Environmental Defenders Office of Northern Queensland, the Environmental Defenders Office, the Queensland Greens and the Mackay Conservation Group. All took issue with the removal of urban restricted areas from this legislation. The earlier iteration of this legislation, that lapsed before the election, was titled the Resources Legislation (Balance, Certainty and Efficiency) Amendment Bill 2011.

Mr Choat interjected.

Mrs MILLER: You wait. I will not miss you. It contained restricted urban areas or an urban buffer zone on mining. The previous government's policy was to restrict mining exploration and development within two kilometres of towns with a population of over 1,000 people or to create an urban buffer.

Mr Cripps: Keep digging a hole. Jackie dug the hole for you this morning on the radio. You keep digging.

Mrs MILLER: No, you can't dig yourself out. We expected more from the minister. We really did.

Mr DEPUTY SPEAKER: Order! Minister.

Mrs MILLER: Have you just warned the minister? I thought you might have there. We expected more of the minister in relation to this legislation. I know a lot about mining exploration and development within two kilometres because Ipswich was a big mining community. We know a lot about the effect of mining exploration and development.

Mr Rickuss interjected.

Mrs MILLER: That is right. Over towards your way. I think in the seat of Ipswich West. In my own electorate mining has encroached on urban areas. The suburbs of Swanbank, Bundamba, Ebbw Vale, Dinmore, Riverview, Redbank, Redbank Plains, Collingwood Park, Blackstone and Goodna have all had coalmining. To this day we still have the effects of coalmining in our community. The urban restricted area policy has been implemented by us through a gazette notice, but this legislation would have enshrined it. There is nothing in this legislation that would have prevented the minister changing the population and distance ratios to fit differing circumstances. So here we have in this parliament—

A government member: Here we go. Come on.

Mrs MILLER: You are going to cop it. Here we have in this parliament the members for Ipswich and Ipswich West who are going to vote for this legislation, which means that, in the case of the member for Ipswich West, he is going to support legislation that is going to allow exploration and development right up in Rosewood, right up in Tivoli—

Government members interjected.

Mrs MILLER: You are going to allow it. You are going to allow development and exploration.

Mr CRIPPS: I rise to a point of order. I really must object to this continuous line of debate from the member opposite, because the member is misleading the House in relation to the effect of the provisions of the bill. I will be happy to outline why that is so when I reply to the second reading debate—

Ms TRAD: I rise to a point of order. That is not a point of order.

Mr DEPUTY SPEAKER (Mr Watts): Order! Members will take their seats. I call the member for Bundamba.

Mrs MILLER: Mr Deputy Speaker, thank you very much. I know what the minister is trying to do. I know that he is trying to look after the members for Ipswich and Ipswich West, because they are going to lose at the next state election. We have the best candidates lined up against them and we are going to wipe the floor with them. They will only be oncers in here. I can tell the House that when the people of Rosewood, Tivoli and Raceview know that they voted for a government that is going to allow exploration and mining right up to their back doors, they are going to absolutely slaughter you. That is what is going to happen.

Government members interjected.

Mr DEPUTY SPEAKER: Order!

A government member: You're a liar.

Ms TRAD: I rise to a point of order. Unparliamentary language was used by the member over there, the member for Ipswich West. Mr Deputy Speaker, I ask you to make a ruling that he withdraw that unparliamentary language. He called the member a liar.

Mr DEPUTY SPEAKER: Order! I did not hear the language, I am sorry.

Mr Choat: I did not.

Mr DEPUTY SPEAKER: Order! Member for Ipswich West!

Mrs MILLER: I heard him call me a liar and I am personally offended by that—deeply offended, in fact. Through you, Mr Deputy Speaker, I ask him to withdraw,

Mr CHOAT: Mr Deputy Speaker, I will not withdraw because I did not make the comment. Get your facts right, ladies.

Mr DEPUTY SPEAKER: Order! The member will take his seat.

Mrs MILLER: Let us have a look at this. In the last sitting, legislation went through this House in relation to lying to the parliament. One of you called me a liar. Which one is it? Stand up and be counted. Which one was it? The member for Ipswich is on his feet.

Mr DEPUTY SPEAKER: Member for Bundamba, I have ruled on this. I did not hear it. You will now move back on to the debate.

Mrs MILLER: The member for Ipswich stood up when I asked for the person who said it to stand up and be counted. The LNP government has advised the committee that they are walking away from regional landholders having buffer zones around regional towns. Why? Because they will look to do something similar through their statutory regional planning process. I ask, who in this state would trust the Deputy Premier, Jeff Seeney, with a statutory regional planning process?

Government members: I would.

Mrs MILLER: No-one else would; no-one else with a brain in their head would. We on this side of the House understand the Deputy Premier to be the most hated man in the bush. God forbid! No-one would accept that.

We do not accept the LNP's hollow excuses for removing urban restricted areas and putting the mining industry ahead of Queensland communities. The rushed nature of this legislation has also resulted in unintended consequences. I note that page 10 of the Agriculture, Resources and Environment Committee report details that the legislation could result in the same geographical locations being subject to two separate pieces of workplace health and safety legislation, that is, some pipelines will not be directly subjected to the Petroleum and Gas (Production and Safety) Act 2004 and could instead be subject to the Work Health and Safety Act 2011. This is a little embarrassing for legislation entitled 'Mines Legislation (Streamlining) Amendment Bill'. This issue was brought to the government's attention through a submission from HopgoodGanim Lawyers. This shows the value of consultation. Had government consulted earlier in the process, there would not be a requirement now for legislative amendment.

Another area of concern raised in public submissions to the committee is whether the information in the MyMinesOnline portal will be made publicly available. We encourage the government to make as much information from this web portal available to the public as is practical. I note that the current MyMinesOnline portal allows for public inquiry reports and this is a start. It is also worth mentioning the advice from the Department of Natural Resources and Mines that no landholder rights will be limited by the

new section 15A under clause 76 for the movement of produced water and brine as part of the CSG industry. The Queensland Gas Company has advised that these amendments will allow for the construction of pipelines across tenure to central treatment facilities and will mean 68 fewer landholders are impacted. Many of those water pipelines will be underground to minimise the impacts on landholders.

Even with existing landholder protections, the role of the LNG Enforcement Unit, established by the previous Labor government, will continue to be important in managing impacts. This government needs to make sure that its heartless cuts to services and government workers across Queensland do not extend to the LNG Enforcement Unit. I would ask the minister to personally give that commitment in relation to the LNG Enforcement Unit. Last year, the LNG Enforcement Unit inspected 300 groundwater bores to monitor groundwater impacts from CSG development. Most landholders in the Surat Basin would consider the LNG Enforcement Unit's role to be front line.

However, what is front line under this LNP Newman government? The goalposts move around like dancing AFL football players. We never know what it is. They just move around and wave about. There go the front-line lines, because we do not know what they are. I doubt that the inspectors meet the 75 per cent contact with the public that the new definition of front-line officers seems to require. I ask the minister: what is it? Are they front-line people? Are they front-line officers? As I look across, I see that the minister is looking down, down, down. Are they front-line officers or not? Are you going to let us know? Are you going to tell us?

Mr DEPUTY SPEAKER (Mr Watts): Order! The member for Bundamba will address her comments through the chair.

Mr BERRY: Mr Deputy Speaker, I want to correct the record. The member for Bundamba indicated, when she was looking for somebody when she was called a liar—

Mr DEPUTY SPEAKER: Order! I have already ruled on this and I have said I did not hear it. Please take your seat. I call the member for Bundamba.

Mr BERRY: I want to correct the record, because—

Mr DEPUTY SPEAKER: Take your seat.

Mrs MILLER: Mr Deputy Speaker, thank you for your protection. For LNP members, those here at the moment and others out on one of the rosters, to take credit for the work of this bill is yet another attempt at rewriting the history books of this state. As an opposition, we take issue with the fact that, following three years of consultation with industry, the LNP initially granted just four working days for submissions from landholders, graziers, environmental groups and farmers. We also take issue with removing urban restricted areas from the previous version of this bill.

Mr Rickuss interjected.

Mrs MILLER: Let me just assure members, including the member for Lockyer—

Mr Rickuss interjected.

Mr DEPUTY SPEAKER: Member for Lockyer!

Mrs MILLER: Thank you so much for your protection, Mr Deputy Speaker. They are getting a bit excited, particularly the member for Lockyer, whom I have some respect for as the chairperson of this committee, and the members for Ipswich and Ipswich West because you will wear this legislation like a crown of thorns around your neck.

Mr LANGBROEK: Mr Deputy Speaker, I rise to a point of order. Can I refer you to standing order 244(7), which says that members will only refer to each other by their title or parliamentary district.

Mr DEPUTY SPEAKER: Order! I will ask the member to address her comments through the chair. I will ask the member to address members by their correct title. And I will ask the member to please be relevant.

Mrs MILLER: Thank you very much, Mr Deputy Speaker. It is a pity that the Minister for Education was not listening. I did in fact refer to the member for Ipswich and the member for Ipswich West and I stated that they will wear this legislation like a crown of thorns around their heads, because by the time we are finished with them they will be out of here.