




Speech by
Jon Krause

MEMBER FOR BEAUDESERT

Hansard Wednesday, 22 August 2012

MINES LEGISLATION (STREAMLINING) AMENDMENT BILL

 **Mr KRAUSE** (Beaudesert—LNP) (8.04 pm): I speak tonight in favour of the Mines Legislation (Streamlining) Amendment Bill. I thank the member for Lockyer, the chairman of the Agriculture, Resources and Environment Committee, the member for Logan, the member for Whitsunday, the member for Gympie and the member for Maryborough for their extensive deliberation on the bill and their quite conclusive and comprehensive addresses to the House on the bill.

I commend the Minister for Natural Resources and Mines for bringing this bill to the House. The opposition has raised in the debate today the fact that this bill was introduced in this House in another form in the last parliament. The opposition introduced it on 29 November 2011 but it lapsed when the election was called and parliament was dissolved on 19 February this year. Labor simply got their priorities wrong, choosing instead to pass the waste levy and the civil partnerships legislation into law instead of focusing on reform bills which promote development in this state—like this bill does.

The bill before us deals with four main issues: it clarifies the legislative framework relating to compulsory acquisition of land as it relates to resources interests; it implements part of the Streamlining Approvals Project; it confirms and clarifies current jurisdictional arrangements in relation to the regulation of hazardous chemicals, major hazard facilities and operating plants; and it provides a regulatory certainty for all parties involved in the state's coal seam gas to liquid natural gas industry.

The first element of this bill, as I just mentioned, is in relation to compulsory acquisition and a change in view of the government as it relates to the compulsory acquisition of land and its relationship to resource tenements. The amendments introduced in this bill give certainty to the government and resource tenement holders, and they protect the state of Queensland from compensation claims. As I said, they give certainty to all parties concerned.

I wish to respond to concerns raised by the member for Gladstone that the provisions of this bill merely align with government policy. That may be the case but they also align in this case with sound policy decisions. Where there is a resumption of land, where minerals tenements or coal seam gas or other petroleum tenures exist, where the rights of those tenement holders are not incompatible with the rights of the resuming authority—the state of Queensland, the Coordinator-General or whoever it may be—then those rights should not be extinguished. However, where there is a clash, we need to make sure that the fundamental principle that the state is the owner of natural resources underneath our soils is upheld. This bill puts into place provisions to that effect.

The second element that I wish to touch on here is in relation to the coal seam gas industry and provisions in this bill for mechanisms to be put in place for off-site or off-tenure processing facilities for brine and produced water from coal seam gas activities. This is an important reform to the petroleum industry laws in this state. At the moment, produced water needs to be dealt with on tenure sites. This obviously leads to some inefficiencies where there are tenures side by side and each tenure holder needs to deal with the produced water onsite. I welcome the amendments to the act which will allow infrastructure to be put in place for that produced water to be dealt with in common storage facilities. This will create efficiencies of scale and perhaps even give a commercial imperative for operations to be created using

brine and produced water from coal seam gas production. It will also lead to efficiencies for coal seam gas tenement holders. I welcome that reform set out in this bill.

Another element in relation to the coal seam gas industry is the provision for the registration of easements in relation to pipelines and other infrastructure for the industry. As one who has worked in finance in a major bank which holds mortgages over land where it is proposed that this infrastructure runs, I can fully understand the conflicts which arise between financiers, landholders and pipeline proponents when it comes to the registration of easements. There are perhaps gaps in the present legislation which do not really provide the certainty which coal seam gas operators would prefer to have. This is a gap in the law and I am glad to see that it is being addressed. I welcome that reform as well.

I also wish to note some of the comments made by members of the opposition and members of non-government parties in relation to the removal of urban restricted areas from this bill compared to that which was introduced by the Labor government last year. RA 384, Restricted Area 384, is still in place. It is a regulatory instrument which prevents the granting or upgrading of new mining tenements within two kilometres of townships holding more than 1,000 people in population. There are many townships in my electorate and in many electorates of LNP members that have fewer than 1,000 people. I think the statutory regional planning process, which has been commenced by the Deputy Premier and his department, will be a much better tool for dealing with the concerns of small communities in terms of where they want mining to occur and where mining should not occur. Under the former government's policy, townships with a population of fewer than 1,000 people were completely forgotten about, and I do not think that is good enough.

I think some of the rage which was illustrated by certain members of the opposition is mainly due to the fact that we are not following the policies of the former government. The policies of the former government are what led us to situations of mining tenements being granted very close to townships—and very close to big townships in some cases. We are not going to follow that policy. We are setting out on a different path which will clearly set out areas where mining can occur. We will also take account of the needs and desires of small communities such as the ones that exist in my electorate and in other electorates as well.

Returning to the issue of CSG water and produced water, this is an issue which was identified by the Beaudesert branch of the LNP quite some time ago. One of the issues with the coal seam gas industry in this state is how do we deal with the issue of produced water, whether it be held in holding ponds or dealt with otherwise. The amendment to regulations made by this bill certainly provide another option as to how produced water shall be dealt with, and I welcome that. I said that my contribution would be brief. I commend this bill to the House.