



Speech by


**Peter Wellington**

**MEMBER FOR NICKLIN**

Hansard Wednesday, 22 August 2012

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

 **Mr WELLINGTON** (Nicklin—Ind) (7.30 pm): I have been listening with a great deal of interest to the contributions from all members today and I must say that I am still a little confused. I am looking for clarification from the minister in his summing-up. The reason for the confusion is that I have had a look at the gazette members have been talking about and which the deputy director-general referred to in his submission to the committee. I note a number of members have referred to page 14 of the committee report which states—

Mr John Skinner, Deputy Director-General, Mining and Petroleum in the Department of Natural Resources and Mines explained to the committee:

*...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. 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.*

It goes on to say—

In advice on the submissions, DNRM further advised:

*The position of the current Government is that the issue of managing the interaction between resource activities and urban areas will be dealt with through the Statutory Regional Planning processes currently being progressed as a priority by Government.*

In evidence at the hearing, Deputy Director-General John Skinner 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.

That made me go to the gazette notice. It prompted me to ask the question and consider: how easy is it to amend the gazette notice? Member after member has said, 'Listen, you have nothing to worry about. It is in the gazette notice. We are going to have a statutory regional planning scheme to protect everyone else'. If I can take the example of a statutory regional planning scheme, we already have one in South-East Queensland. They are not set in concrete. The South East Queensland Regional Plan is regularly updated and varied. The boundaries are regularly changed. Since the Beattie government introduced the South East Queensland Regional Plan we have seen permitted uses change. We have seen councils have to change their planning schemes to bring them into alignment with what the state government's requirement is. I think members need to be aware that a statutory regional planning process sounds all very well and good but it is not set in concrete. It is available to be varied in the future.

In relation to the gazette notice, my question to the minister is: how easy is it for this gazette notice to be amended? How easy is it for this gazette notice to be varied? What opportunities do members of parliament have to review it? I know in the past in the House some other ministers have not even responded to questions I have asked. I do not know what stance this minister is going to take. I can vividly recall him, when he was in opposition, speaking with passion about issues in relation to the former Labor government allowing no consultation, that it is so disgraceful and deplorable. When the Attorney-General was in opposition he spoke about the disgraceful position of the former Labor government that did not properly consult on a whole range of legislation. The member for Gympie spoke about the consultation not being crash hot but 'we did a good job'. Quite frankly, if we think this is the standard that is acceptable, I shake my head. What happened to the commitments that the Premier gave when he won the election?

What happened to the commitments that the Premier gave when we saw him in the media when he opened the Liberal National Party conference and spoke about being open and transparent? I think it is shameful. I actually think it is shameful that the government members are happy to say that the consultation was not good but it is fine. When I go to the recommendations from the committee, the first recommendation is—

The committee invites the Minister to clarify what work his department will undertake to inform landholders and other groups who may be affected by provisions in the Bill that are passed by the Legislative Assembly. The committee also invites the Minister to provide assurances that his department will in future include landholders, environmentalists and peak bodies representing them, as well as community groups, in its consultation processes for the development of resource industry-related Bills that may affect their interests.

Quite frankly, the horse has bolted. They are saying, 'Sorry, minister, we really don't think you did it well enough but we are not going to tap you over the wrist. Hopefully when you do your next bill you will do it better.' This is a significant piece of legislation. Yes, the previous government started groundwork and this government and minister has refined it. Yes, there was discussion and consultation by the previous government with stakeholders. If this is the standard of consultation this government is happy with I shake my head. I feel so disappointed that so many Queenslanders are not seeing what is happening in this, the 54th Parliament.

When I have raised this before the Manager of Government Business has said, 'But look, we had to get business into the House. We had to rush these bills into the House because we had to debate something.' The Manager of Government Business sets the agenda. I understand the importance of trying to get the mining industry up and running. But, by crikey, I shake my head and feel so sorry for so many Queenslanders who voted for the Liberal National Party. Many who rallied outside yesterday, who simply wanted to meet with the Premier or the minister or speak with a government member, voted for this government.

**Mr Cox:** They voted for change.

**Mr WELLINGTON:** My word, they voted for change, but it is very disappointing to see the process by which this change is happening. That is the comment I want to make. I know the government has a mandate. It will make the change. It will push it through. Maybe next time the minister might come to this House and say, 'We have learnt from our first time and we will have better consultation.' All I can say is that they should have had better consultation this time. It was not going to be that difficult to have another couple of weeks. We do not come back for two weeks.

**A government member:** Twenty years we have waited.

**Mr WELLINGTON:** Let us forget about what happened in the previous government. This is this government's agenda and this government's bill. What would have happened if we had waited a bit longer? I am urging the minister to respond to my question about how easy it is to amend this gazette notice. Quite frankly, I do not believe this gazette notice is anywhere near as powerful and as strong as an act of parliament.

If you have an act of parliament, it means that if there is to be change it has to be debated on the floor of parliament. It means it has to go to a committee, unless the government declares it an urgent bill and pushes it through or guillotines it, as we have already seen this government do. I do not believe the gazette notice is anywhere near as secure. I am not taking interjections from the minister responsible for water resources. He has had his chance and he can speak later.

That is what I wanted to touch on. Hopefully, the minister will clarify this for the benefit of all Queenslanders, especially the landowners who have not had the chance to be consulted. I ask the minister to please explain why this bill was not able to lay on the table for another two weeks and be debated at the next sitting, so that the committee had a reasonable amount of time. That is all we are asking. We are not asking for the impossible. When I discussed this issue with the Attorney-General in relation to another bill, he said, 'We shouldn't have to wait for six months; it's unreasonable.' I am not asking the minister for six months. I am asking for a reasonable amount of time.

In its report, the committee identified a schedule of the time limits. I note the member for Gympie is in the chamber again. I spoke earlier about his contribution and that he said, 'Well, it wasn't good, but we did a pretty good job with what we had.' Just so that the member for Gympie is aware, I say that that is not good enough. I do not think Queenslanders voted for a government that would say that this is good enough. Just for the record, let us look at the schedule of the time frame. I think it is shameful.

*(Time expired)*