




Speech By
Michael Hart

MEMBER FOR BURLEIGH

GASFIELDS COMMISSION BILL

 **Mr HART** (Burleigh—LNP) (4.20 pm): I rise in support of the Gasfields Commission Bill 2012. Can I say when rising to speak on this bill, as a matter of transparency to those members in the House today, that my member's pecuniary interests register shows that I own publicly listed shares in a Gold Coast based CSG company. Having said that, the GasFields Commission has been hard at work since mid last year. It has been managing and improving co-existence between landholders, regional communities and the onshore gas industry. The commission has assisted the government to develop this bill by reviewing the submissions from the public about its proposed powers and functions and developing its own recommendations to present to government.

The bill formally establishes the GasFields Commission as an independent statutory authority and gives the commission the teeth that it needs to do its job. To that extent, this bill was referred to the State Development, Infrastructure and Industry Committee, of which I am a member. I will comment on that process on the way through. As the member for Mackay has said, we had bipartisan discussions in our public meetings—and our private meetings, for that matter—and I commend all of those members involved, including our chairman, the member for Gympie; our deputy chair, the member for Mackay; the member for Pine Rivers; the member for Sandgate; my good friend the member for Keppel; and the member for Mount Isa. I also commend the wonderful staff of the State Development, Infrastructure and Industry Committee: Kathy, our research director, Margaret, Mary and Dianne—and Rhia was with us at that stage as well. There is no doubt in my mind that the staff of every committee in this parliament do a wonderful job. They are under a fair bit of pressure. It is amazing the amount of work they get through.

This government has made a firm commitment to address community disaffection and conflict between the agricultural industry and the resources industry. We all know from reading newspapers over the last couple of years that the CSG industry is one of those industries that people have a real interest in. It has led to numerous protests around the place. The Lock the Gate team in Northern New South Wales have led that protest. They are out there and they want to know how this industry will integrate with people in our regions, with our farmers and with the people in our cities for that matter as well. It is the prime purpose of this particular commission to negotiate that place between our landholders and the industry to get right the process of bringing CSG onto a particular property. It demonstrates this government's commitment to getting the best outcomes from these two very important pillars of the economy that we have put forward—the agricultural and the mining industries.

The bill provides the GasFields Commission with the powers and the functions necessary to achieve its goal of managing and improving co-existence. There is a word that does bring a lot of discussion: co-existence. The functions outlined in this bill are all about the GasFields Commission providing an independent and balanced point of view to the government and, for that matter, all stakeholders. Of course, the main function is, as I have just said, to manage and improve sustainable co-existence between landholders, regional communities and the onshore gas industry.

At our public meetings in both Brisbane and Toowoomba we had a range of interest groups come and talk to us. We had the Queensland Murray-Darling Committee, AgForce, the Wildlife

Preservation Society of Queensland, Cotton Australia, Arrow Energy, the Queensland Gas Co., the Queensland Conservation Council, the Australian Petroleum Production and Exploration Association, the Bar Association of Queensland, the Toowoomba Regional Council, the Western Downs Regional Council, the Queensland Resources Council, Property Rights Australia, the Rockhampton Regional Council and the Friends of Felton Inc. As members can imagine, we got quite diverse input from those particular people. As I said before, we had quite a healthy discussion about a number of issues and I will cover some of those issues as I go through.

One of the questions that was put to us continuously at both of our public meetings was around the term 'sustainable co-existence'. This means different things to different people. It is very hard to have a one-size-fits-all definition of those words. We were asked on numerous occasions whether it would be a good idea to define that particular term. I guess at the end of the day you have to look at what exactly sustainable co-existence means. It is going to mean different things to different people. It could look one way if you are, for instance, just looking for CSG in a paddock somewhere; it could look different if you are actually producing CSG on somebody's farm. Those two things could be at completely different ends of the spectrum. It could be one way if you are way out west on a very sparsely populated farm and different on the outskirts of a city, for instance. It could be completely different if you are cropping on your property or grazing.

Those things need to be taken into account and I think the committee and the government, for that matter, both came to the same conclusion: it is best not to nail that particular term down. We are seeing that come through in quite a few of the other bills that my committee is looking at in relation to that term. It is interesting to see people's reactions to that. In fact, I asked somebody at a public meeting today if they could give me a definition of 'sustainable co-existence' and everybody started scratching their heads. It is best just to leave it up to the person making the decision to look at all the facts about particular circumstances and then come up with some sort of conclusion from that. That is where we ended up with sustainable co-existence at the end of the day.

The commission's powers also include the ability to compel government agencies, landholders and gas companies and contractors to provide information. There was also quite a discussion about that particular matter. We had two sides of that particular issue brought to us. We had in one instance the companies saying that some of the information that the commission might request might be commercially sensitive and therefore could not be put out there in the public arena—and one would have to agree with that. We also then had the environmental side of the discussion suggesting to us that the gas companies might well use that commercially sensitive information to actually withhold that information.

Again, it is vitally important that the GasFields Commission has access to the information that it really needs to make a decision on any particular issue that is brought before it. We need to understand that the GasFields Commission is there as an advisory body; it is not there to regulate the coal seam gas industry, as some people suggested that it should be. We had quite a number of discussions based in Toowoomba and, in fact, in Brisbane as well. Some of the people who gave submissions to us suggested that perhaps the GasFields Commission should be a regulatory body. That is probably taking the GasFields Commission that one step too far. There is quite a bit of other legislation, as we all know, that is applicable to the coal seam gas industry and we have already heard the Deputy Premier and the Minister for Mines tell us about those particular bits of legislation today so I will not cover those again.

The bill provides the GasFields Commission with the right to bring that information out of various subcontractors, gas companies and so on. Originally, it proposed that there be an \$11,000 fine if that information was not forthcoming. The committee thought that was inappropriate. For that reason, the committee put forward recommendation 4, which states—

The committee recommends that clause 17 of the Gasfields Commission Bill 2012 be amended to remove the penalty provision.

I understand that the Deputy Premier and the GasFields Commissioner are looking at that and will possibly move amendments during the consideration in detail stage of this bill. Those powers are necessary to make sure that the commission can do its job of managing and improving co-existence and providing recommendations or advice to the government.

Some of the gas companies and the industry peak bodies were concerned that the definition of 'confidential information' did not go far enough. I have already covered the majority of that subject, so I will move on. Obviously, all stakeholders were concerned about the definition of 'sensitive information' as opposed to 'confidential information'. We managed to convince those having discussions with us that the information should really be released only with the consent of the person or organisation providing the information.

One of the key issues for the GasFields Commission is ensuring transparency and accountability in its advice and recommendations. Of course, the stakeholders need to be assured that the commission is acting in the best interests of all parties and is providing unbiased advice and recommendations to the Queensland government. To that extent, we also had quite a bit of discussion about the level at which the members of the committee and the chairman, in particular, should be releasing their pecuniary interest registers. The suggestion was made that those pecuniary interest registers should be made available to the public. The committee felt that that was going one step too far. We felt that, given that the members of the committee were part of an advisory board, they really did not need the same level of public scrutiny that members of parliament, for instance, are put under. Instead, the chair and the commissioners should be held to the same standards set for senior executive service officers such as deputy directors-general within government departments.

The committee made various recommendations, including what should be the definition of a 'close relative'. There was quite a bit of discussion between the submitters who said that, unless we actually put out a definition of 'close relative', the situation could arise whereby your second cousin's Great Aunt Flo, who you have not seen for 100 years, takes over the running of a coal seam gas company and you make a decision that impacts on her livelihood and, therefore, you have done something wrong. We thought it was appropriate that that definition be pulled back to immediate families—that is, you know what they are up to in their day-to-day lives—such as sons, daughters, grandparents, parents-in-law and so on.

The committee made a number of other recommendations, one of which revolved around the gasfields community leaders group. Some submitters are concerned that there is only one community leaders group centred around one particular part of the state and maybe there needs to be several more or at least one more. We have already heard from the Deputy Premier today that, in fact, a northern committee is being formed. I commend the Deputy Premier for that. The committee made a recommendation that the Gasfields Commission Bill 2012 be amended to incorporate a head of power for the GasFields Commissioner to establish one of those community leaders councils. As we have heard, that has been partially accepted by the commission and the Deputy Premier, who has already announced that there will be a northern group. That is absolutely fantastic.

I commend the Deputy Premier for the speed with which he has put this commission into place. I commend the processes involved in putting together the legislation to enact this commission. We met with the commissioners themselves in both Brisbane and Toowoomba. I found them to be a very knowledgeable group of people. They are from appropriate areas of the coal seam gas industry and groups, such as landowners, that reflect the area around the coal seam gas industry. In the time that they have been in place, they have managed to smooth over quite a number of issues. I understand that they have a 90 per cent success rate in the negotiations that they have entered into. The GasFields Commission is working well.

The mining industry is one of our four pillars and will make a big impact on this state. There is a lot of money in coal seam gas. Hopefully, a lot of royalties will come to the government which will go towards paying down the massive debt that the last government left us with. That has to be a good thing for Queensland. With those few words, I commend the bill to the House.