




Speech By  
**Shane Knuth**

**MEMBER FOR DALRYMPLE**

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Record of Proceedings, 9 September 2014

### **MINERAL AND ENERGY RESOURCES (COMMON PROVISIONS) BILL**

 **Mr KNUTH** (Dalrymple—KAP) (7.57 pm): I rise to speak in the debate on the Mineral and Energy Resources (Common Provisions) Bill 2014. I acknowledge the 255 people who put in submissions to the committee to reject or express great concern with regard to this bill. Like the 255 submitters, I believe deep down that this bill is biased towards the mining companies and further removes landowners' rights. I believe this is probably one of the greatest attacks on landowners since the vegetation management bill was introduced and the ERMPs were introduced.

It is an absolute disgrace that in this House the LNP is backing the big mining giants over the landowners. They have been constantly kicked in the guts, year in and year out. They are suffering at present. This is a very bad time to introduce a bill to remove more rights. The agriculture industry and the grazing industry are suffering at the moment. They have been suffering for a number of years. They do not need a kick in the guts. They need a hand up. This is another boot in the guts.

The sad thing about it is that the National Party, the former Country Party, was there to represent the people on the land. Now they are backing the corporate giants. I do not know their means, measures or reasons for doing that. The fundamental principles upon which they were elected and upon which the party was founded were about the protection of these people.

They are not the words of Shane Knuth; they are the words of 255 submitters, and that includes Property Rights Australia and AgForce. If they are expressing great concern, we need to take a look. The minister may put his hand on his heart and say, 'We have the provisions that cover all this,' however, if the minister is saying that the objection rights and the notification rights will be retained, then he should keep them in this bill and not take them out. That is very simple. That is not much to ask. Likewise, if stockyards, dams and bores are protected as restricted land, he should not remove that provision from the bill but keep it where it is.

They are two important components that relate to the infrastructure and the land rights of the agriculture industry and the grazing industry. If they are going to be retained, why take them out of the bill? Why take out the two most important components of this legislation to landowners and the agriculture industry? Keep them in. Then the grazing industry and the agriculture industry will know that the government is there to protect them. They are confused because it is taking out the two most important components in relation to property rights. Currently, when a mining company wants to bulldoze their rights, they have a legislated framework and a safeguard put in place to ensure that there are negotiations such that if they are going to be deeply affected when they lose their dams, water infrastructure and stockyards, they will be appropriately compensated.

I wish to quote one of the submissions, and I know Donnie Harris Law because they represent landowners in my electorate. I will quote from that submission. It is very simple. Members opposite can say, 'They are fools. They would not have a clue what they are talking about. We in the LNP know. We know what is best for Queensland.' They can say that these people are idiots, but they are there because they are concerned about this bill. They are not an illusion; they are there because 270 submitters oppose this legislation or are very concerned about it.

But what has happened? Nothing has changed. We had five, six or seven public hearings where the concerns of all those landowners were heard. What happened? It was recommended that the bill pass through with nothing changed. We are spending hundreds of thousands of dollars on the committee process. We are wasting hours and hours on silly meetings and we are not getting any results because members opposite are not listening to those committees. It is an absolute waste of time because they bypass and trample over the decisions that those committees make. They had a golden opportunity to stand up for those people who were concerned, but what do they do? They dodge and weave and hide to the point of invisibility. It is an absolute disgrace. It is a waste of money and I believe that we should get rid of the committee system because it is not working under this present government. We fought hard to have this committee system put in place, but all we are doing is getting the outcomes that the few at the top wish to have.

**Mr Cox** interjected.

**Mr KNUTH:** We turn up to the committee hearings—and if I compared the number of speeches I have given in the House with the number given by the member for Thuringowa, I think it would be triple. So he should not put this argument about pulling our weight in the parliament. Get up there and stand up for—

**Mr DEPUTY SPEAKER** (Mr Ruthenberg): Order! Member for Dalrymple, member for Dalrymple, member for Dalrymple! You will address your comments through the chair and you will listen to the chair.

**Mr KNUTH:** I deeply apologise.

**Mr DEPUTY SPEAKER:** Thank you. Please continue.

**Mr KNUTH:** I deeply apologise but I do not want to be rudely interrupted by squawking parrots.

**Mr DEPUTY SPEAKER:** Member for Dalrymple, please continue. Just a second, if there are members back there making interjections, I cannot hear them, but would you please cease. Member for Dalrymple, please continue.

**Mr KNUTH:** Donnie Harris Law are good people and they are there to represent farmers and graziers who are concerned about property rights and being downtrodden by mining giants. They do not say anything too harsh. They state—

We have reviewed the Bill and Explanatory Notes. The Bill clearly removes a number of rights that landholders currently have under legislation and therefore leaves them in a worse position than is presently the case.

The minister says they are much better off. It goes on—

We provide the following opinions and concerns:

...

The Bill would have the effect of removing stockyards, bores, dams and other key infrastructure from the definition of Restricted Land. This would result in landholders having no right to restrict access to those key areas of infrastructure. As you can appreciate, watering points, particularly for graziers, are the backbone of many primary producing enterprises—any loss or damage to those watering points can have a substantial and disastrous impact on their livelihoods.

The Bill would firstly remove this key infrastructure as Restricted Land and then remove the landholder's ability to veto access in certain circumstances. Clearly this benefits the resource industry but does not preserve individual rights that have been in existence for many years.

We have fought extremely hard to preserve those individual rights because we have seen the farming sector being done over year in, year out and they are very much struggling. That is what was put in place from the beginning and now we are seeing that those individual rights that existed for many years are being severely eroded tonight.

I am not seeing any of the backbenchers who walked into this House and said, 'We will do everything,' and, 'We will stand up for our electorate like we promised. We will not be like others who have sat in this House. We are here to fight for their cause. We were elected on a platform that we would fight for our constituents.' There is no fighting for the constituents here tonight. This is about embracing a party line that is run by a few at the top of the hierarchy, and the backbenchers are obeying. 'We will obey.' They are obeying. The reason they were elected was that they promised to represent their constituents. However, they are here to back the big corporates, the mining giants, at the expense of the people whom they were supposed to represent from the beginning. The submission goes on—

While the Bill suggests that appropriate compensation will be provided to landholders where that infrastructure is impacted, the Bill fails to change the current compensation regime—

Isn't that interesting? There is a catch. It goes on—

in any way but rather preserves the conservative and restrictive heads of compensation that presently stands and which are favourable to resource companies.

Isn't that funny? I cannot understand why it does not favour the small man on the land, the person growing the lettuce out at Gatton or growing the potatoes or milking the cows. It does not seem to favour them. I do not know why. I would love to see that it favours the man on the land, but for some reason or another it seems to favour the big resource company. Is it because the big resource companies are contributing much more in political donations to the LNP than the poor broke farmer who was screwed down? The submission continues—

The present compensation regime does not account for the fact that in many respects a landholder is an unwilling Vendor and would not choose to be compensated at land values in a depressed market. Rather, if they were to sell their land, they would choose to do so in a more favourable market. The end result is that resource companies are able to take advantage of land values in a depressed market to obtain access to the resource.

In other words, they might have watering points and dams that cost them \$10 million to put in, but the big resource companies may say that their present value is only \$5 million. That has not been taken into consideration in this bill. There is a simple way. If the minister says that the objection rights and the notification rights will be retained, then everyone will have clarity. We can use political speech and terminology, but the clarity was already there. Now that clarity is being taken away. That clarity was about not just protecting the restricted land but also retaining the notification rights and the objection rights. That is very simple. Just to go on, Mr Deputy Speaker, it says—

Allowing resource companies to also carry out low impact activities within close proximity of a residence is also denying individuals of their fundamental right to privacy and amenity. There must be a reasonable balance between the civil rights of individuals and their families ...

What happens is that the profits of the big mining giants go overseas and the megarich receive the benefits, but small players and their families are the ones who are suffering. The LNP government does not care because they prefer to have the backing of the big overseas multinationals so that they can benefit from this mining development in Queensland. Even though they produce cattle, potatoes and beef, this LNP government prefers to back those from overseas. The submission further states—

There must be a reasonable balance between the civil rights of individuals and their families and the statutory rights to explore and mine for resources. The Bill has gone too far and fails to achieve that balance.

I am deeply troubled about the removal of key infrastructure from restricted land, as entire aspects of the management of farm or grazing properties are reliant on these key infrastructure components. Without them a property cannot operate.

Another thing that I would like to say as a committee member is that I am deeply perturbed because we had six or seven public hearings at which there were expressions of great concern, but all of them have been wiped away. There has been no interest in the concerns expressed and none of them were taken into consideration because the LNP says, 'We are right!' When Campbell Newman said that he was going to listen, I hoped and believed that he would. But I am starting to feel that you cannot help yourselves and you are starting to fall back onto the same path that you were taking two months ago. I believed that there was some hope, but there is no hope. The very people that you are supposed to represent have been pushed aside and have fallen by the wayside. The dissenting report states—

As a committee member I am concerned about what has been pointed out under new section 260: "... people's right to object to the issuing of a mining lease for a resource activity will be unduly restricted to 'affected persons', and that the definition of 'affected persons' has been further limited. "Further, low risk environmental activities/mining lease grants will not be subject to public notification. This will impact persons who live near a resource activity but who are deemed to be 'not directly affected' by its activities as well as the general public/local and wider communities who may not be aware that a resource activity for which there is a public interest being carried out."

There was a spill at the Mount Leyshon mine, and fish and birds were killed seven kilometres downstream. Property owners were affected because they could not sell cattle for four or five years as a result of that contamination spill. This bill states that none of those property owners up to five kilometres downstream have the right to object or even the right to notification. But those rights were in place before because the former National Party of old fought for them. They could see the battle with multinationals over power and money whilst resources were being trampled on, and their crime was to put food like vegetables, lettuce and carrots on our tables. The National Party was there to defend their rights because they knew that there was a problem.

The Liberals were pro free market, pro mining companies, pro resource sector, pro multinational and transnational corporatisations, and the National Party stood up for those battlers whose crime was to put food on the table. Do you know what we are doing? We are importing food from overseas. Do you know why? Because we have mining companies who are trampling over the agriculture sector right at this present moment. You may say that I am delusional, but go out to the Darling Downs and see what is going on. It is a shame. Property Rights Australia said that, on balance, the bill is an erosion of landowners' current rights and that—

The property rights and principles of natural justice of landowners will be severely compromised by the proposed changes.

The balance of power between the miners and the landowners has always been in favour of the miners at the expense of the landowners, and this bill has a provision which disadvantages the landowners. I wonder why they are saying that. They continued—

Now that the proposed Bill has confirmed that “directly affected” landowners are only those within the footprint or who provide access to a mining lease our worst fears have been realised. The affects of some mining projects are so wide ranging that PRA would contend that there are many neighbours and even nonneighbours who will be more “directly affected” than many simply offering access.

I believe that this is one of the greatest attacks on landowners that I have ever seen in this House, but the sad part about it is that it is coming from the Liberal National Party.

I say that we need get rid of the committee system. It is a waste of space, a waste of time and a waste of resources. It is a waste of public money. We are supposed to be in debt, yet we are wasting our time and effort attending these meetings. Why should we travel around this state and have all these public hearings if we do not listen to what the people of this state are saying? If the minister will put his hand on his heart and say that the objection rights and notification rights will be retained, then he should keep them in the bill and not remove them. Likewise if stockyards, dams and bores are protected under restricted land he should not remove them from the bill. It is just as simple as that. I oppose this bill.