




Speech By
Julianne Gilbert

MEMBER FOR MACKAY

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RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs GILBERT** (Mackay—ALP) (4.13 pm): I would like to speak in support of the Resources and Other Legislation Amendment Bill 2021. This bill seeks to give clarity and certainty and ensure the integrity of the tenure system by clarifying the legal standing of certain historically granted tenures, activities and entitlements under the Minerals Resources Act 1989 and the Petroleum Act 1923 and, as others have said, there are other acts in relation to this bill, but I would just like to stick to these two.

We live in a time of great uncertainty as we navigate the global pandemic. Queenslanders have worked hard to keep our industries in operation and to keep them safe. This is in contrast to industries collapsing and being mothballed as the pandemic has ripped through other communities. Businesses want certainty, whether they are directly involved in mining or exploration, or one of the many businesses supporting the resources sector, community and stakeholder groups. My community is one of those that support the mining industry and we certainly do know what it is like to have certainty.

This bill will ensure the continued effectiveness of key regulatory frameworks within the resources portfolio. It amends the Minerals Resources Act 1989 and the Petroleum Act 1923 to give the certainty that resources communities are seeking. This bill clarifies the validity of certain historically granted tenures and the standing of existing application.

The amendments to the act are to validate certain mining leases which may have administrative deficiencies. Prior to 2012, mining leases in Queensland were granted by the Governor in Council, based on recommendations by the minister of the day.

The Department of Resources has identified that there were 86 mining leases for coal and 847 mining leases for other minerals that have one of the following or both administrative deficiencies: firstly, the minister did not recommend the issuing of the lease; secondly, the instrument of the lease was not issued to the holder.

The bill is necessary to protect these over 900 mining leases from being challenged and having legal mining operations being questioned as illegal operations. There are currently no challenges based on this issue, and the amendments will retrospectively operate to provide certainty to holders of already granted tenures.

The bill also removes any doubt for the petroleum industry. It will provide that a production lease under the Petroleum Act 1923 with a validly made application for renewal will continue in force from the expiry date until the application is decided or otherwise resolved. The department has a longstanding administrative practice that preserves existing rights while the renewal decision is pending. The bill removes any ambiguity over production or prospecting that may occur after 1 November with the prospect of leases lapsing.

Without removing uncertainty for stakeholders and investors who would be potentially affected, there could be broader impacts on industry and further investment in the Queensland resources sector.

Queensland is good at mining with modern and effective operations supporting national, state and local economies. The mining industry directly and indirectly supports many families in my region. It is an industry that we need to support and to have the necessary legislative framework in place. The mining industry is moving with demands of the modern economy. The resources sector will be a vital section of our community for generations to come. We need to protect its certainty.

There is a debate from time to time regarding all types of mineral extraction and the future viability of the leases. There has been a lot of work done to keep the viability of current leases in my region going into the future. Where there was extraction of overburden in open-cut pits, the overburden was seen as unusable top layer of no significant value. Recent research of the minerals in the composition of the overburden piles has detected rare minerals. The stockpiles could possibly be re-mined, not as a nuisance layer, but of a layer of high value.

Our resources sector is with us for many years to come. It will be a matter of what it will look like and what will be the new minerals we are finding new uses for and the value of the new minerals being sought. Queensland is mineral rich. I support the bill.