




Speech By  
**Michael Berkman**

**MEMBER FOR MAIWAR**

---

Record of Proceedings, 12 October 2021

### **RESOURCES AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr BERKMAN** (Maiwar—Grn) (5.14 pm): I rise to make a contribution on the Resources and Other Legislation Amendment Bill 2021. Earlier today, the resources minister began his ministerial statement by saying that exploration is a lot like being a member of parliament. As much as members on both sides of this House love to don a high-vis vest and pose for a photo in front of a coalmine, at first I thought it was a stretch—but maybe it is not. After all, if you work in exploration, you go to work to make more money for the mining industry. If you are an MP in this place—at least one from the major parties—apparently you also go to work to make more money for the mining industry. That is what this bill is about: ensuring the financial future for some of Labor's biggest donors after they did a bit of an 'oopsie' and forgot to issue their mining tenure properly.

First we have the mining amendments. The bill will retrospectively validate mining leases granted between 1989 and 2010 with potential 'administrative deficiencies' relating to the requirement for a hard copy lease to be issued. It turns out there have been 993 mining leases issued improperly, including 86 coalmining leases. Whoops! Surely in this context, the calls made by a number of submitters on this bill to make tenure instruments for resource activities publicly available in Queensland seem pretty reasonable.

As the Queensland Conservation Society said in its submission, this bill really exposes the systemic issues with this government's administration of mining and petroleum leases and the special, lax treatment they get. I hope the department's promise to discuss this with stakeholders such as the Environmental Defenders Office, Lock the Gate and the Wilderness Society is more than placation and they will not just be brushed off in the future.

One of the leases covered by this bill is the New Acland thermal coal mine. Many members will know that before I was elected I represented the farmers fighting the expansion of this mine for Acland stage 3. That expansion would trash some of Queensland's best agricultural land and ruin precious groundwater resources in that region.

**Mr Millar:** Rubbish.

**Mr BERKMAN:** Rubbish? Extraordinary! So they are going to continue with open-cut coalmining and it will have no impact on the agricultural land they are digging into or on the groundwater? Unbelievable! We have to see this technology!

Anyway, it would trash the agricultural land and groundwater resources in that region. As always, the fossil fuel lobby has been working overtime to keep dirty coal on life support, ramping up political pressure to the point that the government admits, in effect, that it wrote this bill after noticing it threatened the legal operation of Acland under that mining lease.

Even without expansion, this mine was already investigated for potential environmental breaches, and the coal it has produced has helped drive us closer to the precipice of runaway climate change. The major parties say that they finally accept the science that the climate crisis is happening now and it is caused by humans, but still they cannot bring themselves to admit that fossil fuels, coal

and gas are the drivers. The International Energy Agency can. They say that if we want to reach net zero by 2050—Labor's pretty weak, put-it-off-for-now target—there can be no new coal or gas, yet Labor continues to brag about approving 18 new coalmines last term and opening up Queensland for yet more fracking.

This bill lets them keep those mines open and continue approving new gas projects, including in highly sensitive areas like the flood plains of the Cooper Creek and Lake Eyre Basin Channel Country. It provides for gas production leases made under the 1923 Petroleum Act to continue beyond their expiry if a renewal application was already made but not yet decided. Apparently, the department has already been doing this unlawfully for years. Apparently, it is time to formalise the special deals for organisations such as Blue Energy and Origin that have already failed to comply with their works plan but will be given free rein to keep expanding their fracking projects.

This bill also allows gas authorities to prospect to continue in force if their applications for production leases remain undecided on 1 November 2021. This is relevant because under current laws at least six authorities to prospect and their 16 production lease applications under the old Petroleum Act would expire on 1 November this year—and so they should.

The Greens will be voting against the amendments to the Petroleum Act 1923 in part 3 because we do not believe there should be any new gas leases granted or renewed. Despite the greenwashing attempts by both major parties and their big donors like Santos, gas is not clean. When we take into account the fugitive methane emissions that are even more potent greenhouse gases than carbon dioxide, it is potentially just as, if not more, dangerous for our climate than thermal coal. Fundamentally, gas is a fossil fuel and it has no place in our future energy mix or economy. In a state with an abundance of renewable resources, as the government readily admits and trumpets almost daily in here, we do not need it.

We will be supporting the amendments in the bill to give Urban Utilities and Unitywater investigation, monitoring and enforcement powers to implement water restrictions in their service areas. We will also be supporting the changes to ensure water service providers do not have to publish highly sensitive cybersecurity information and reporting metrics. Because there is no distinction between coal and other mining in the bill's retrospective amendments to the Mineral Resources Act, we will support that fix-up of the government's historical mistakes.

As we have said many times before, there is great potential in Queensland to continue and even expand mining of the minerals we need for a clean economy like cobalt, copper and lithium, but we do not need new thermal coal. With green steel already a reality, it is likely we will not need metallurgical coal soon either. This government should rule out any new thermal coalmine approvals and immediately get to work on a jobs and retraining plan to transition away from coal and gas in exports as well as energy. I think Lock the Gate put it well in its submission when it said—

... the Queensland Government frequently says it cannot make any environmental laws retrospective under any circumstances, and weakened the mine rehabilitation laws in 2018 on that basis, however it appears to have no such qualms providing retrospective law changes that favour mining and gas companies. This double standard is very stark in relation to this Bill.

The Queensland Resources Council and the gas lobby even wanted to strengthen their guarantee to keep exploiting our resources for a pittance while Labor continues to refuse to raise royalties and make them pay Queenslanders a fair share. They wanted the bill amended to say that the minister is required to grant the petroleum lease applications on extended authorities to prospect rather than just that they may. You almost have to laugh at the arrogance of that organisation and the request it is making, but that is what you get when an industry is effectively given free rein in Queensland in exchange for the millions in political donations it gives. The secret deals, special legislation and public bailouts for greedy coal and gas companies continues, and this bill is no exception.

Despite the fact that it has already been dealt with, I will touch briefly on the Personalised Transport Ombudsman repeal. I met recently with a couple of constituents of mine, Salvatore Vizzi and John Callus. Salvatore is a 95-year-old licence holder. He laid bare for me just how damaging the change to the gig economy has been for him. I want to take the opportunity to expressly ask the transport minister to show up—to front up—for the court ordered mediation that is taking place, I believe, at the beginning of next month. It is so important that someone with authority to really negotiate on behalf of the department is there for that mediation and I am calling explicitly on the minister to do that and to be there.

I cannot sit down without taking the opportunity to respond to the member for Greenslopes and his contribution. It had nothing to do with the bill. It was a fantastic little window into the fantasy land that is the member for Greenslopes's recollection of election day. Although the government does not seem willing to do the right thing by renters in Queensland—and we will see that later this week—at least the Queensland Greens know that we are living rent free in his head.