

Mineral and Energy Resources (Common Provisions) Bill 2014

1. Mining and gas extraction projects, large and small, can have serious and long lasting impacts on rural businesses, communities, the environment, the public, and individuals. This Bill if implemented would strip away key public and private rights and puts the interests of the mining and resources sector far ahead of the rights and interests of individuals, the public, the community at large and the environment. The bill should be rejected or amended to ensure that it has sufficient regard to the rights and interests of individuals, the public, the community at large and the environment as opposed to the current Bill which drastically diminishes those rights and interests.
2. All persons and groups, should, as they are currently entitled to, be afforded the opportunity to have input into a mine and object to the independent Land Court concerning any proposed mining lease and environmental authority. The proposal to remove those public rights for 'non-site specific applications', i.e. for approximately 90% of mining proposals, is unacceptable. The impacts of a mine do not stop at the boundary of the mining lease.
3. The fundamental community right to know what mines are proposed in Queensland should not be removed. There should continue to be public notification of all proposed mining leases and all proposed environmental authorities, for both site specific applications and non-site specific applications.
4. The criteria to be considered by the Land Court, when hearing an objection to a mining lease and environmental authority application, should be retained by that independent Court, with no criteria transferred exclusively to the Minister.
5. The restricted land regime under the *Mineral Resources Act* should be maintained and not curtailed. Further, the Minister should not be able to decide whether or not a mining lease can cover what would otherwise be restricted land – this is effectively turning the situation into one of compulsory acquisition by mining companies of private land. It is putting the interests of the mining and resources industry ahead of the rights of individuals and seeing the gradual reduction in the rights of landholders.
6. All crucial definitions and details which have the potential to interfere with rights, such as who may object to the Land Court and the requirements for a conduct and compensation agreement, should be contained in legislation, not regulations.
7. Opt-out agreements offer very few protections and pave the way for misuse and problems. They should not be allowed or at least there should be more safeguards put in place to protect people.
8. Remediation of legacy boreholes should be strictly limited to bores or wells that were drilled for the purpose of coal, mineral, petroleum or gas exploration or production and no longer used for that or another purpose – not a landholder's water bore which may emit gas from time to time. Further, the Bill should provide for notification and compensation in the event of remediation.