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Chairman

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# Qld landholders deserve better than Cripps' smears

LANDHOLDERS did not deserve to be labelled environmental vandals under the previous Labor government, and they certainly don't deserve the slurs made by Natural Resources and Mines Minister Andrew Cripps when he dismisses them as "green extremists" for opposing his disastrous Mineral & Energy Resources (Common Provisions) Bill.

In the past week we have heard Mr Cripps describe landholders opposed to his bill as "influenced and misled by green groups or certain law firms whose main interest is to generate community concern and discontent".

This polarising of the debate and deflection from what is really at stake is as unhelpful as it is ridiculous.

I suggest the minister should take the time to read the transcript from the recent parliamentary committee hearings in Mackay, where landowners took the trouble to point out that they have a legitimate view under no influence from any other sector.

The heart of the matter here is that at four minutes to midnight on Tuesday, September 9, the Queensland government sold out rural landowners' property rights with the passing of the aforementioned act, complete with amendments.

The lead-up consultation during the committee hearing stage was a pretence and the subsequent report a farce.

It is my view that this bill is so bad it has the potential to be as damaging to landholders as the despised Vegetation Management Act of the deeply unpopular Beattie and Bligh Labor governments.

The last-minute amendments presented in block in the dead of night, with no scrutiny realistically possible, and rammed through on party lines, have delivered a disastrous outcome worthy of the torture landholders were subjected to under the previous Labor administration.

PRA and its members are not anti-mining – we are pro-landholder rights.

Across the board in submissions and at the hearings, rural organisations and individual landowners outlined their grave concerns about the bill and offered constructive suggestions on how improvements could be made.

The parliamentary committee chairman, the LNP member for Lockyer Ian Rickuss, failed to make recommendations which took account of these serious concerns.

Several submitters and witnesses at public hearings gave personal accounts of the difficulty of securing a satisfactory conduct and compensation agreement (CCA), and the gross imbalance of power between landholders and mining companies.

Mr Rickuss seems to think they were all just whinging.

I quote Mr Rickuss from Hansard during

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the parliamentary 'debate' on September 9:

"What I can say about the conduct and

compensation agreements for the landholders is that some of the landholders have to grab these and take control of the agenda.

"This is what it is about. If they sit down and think about what they have to do with these conduct and compensation agreements and get the appropriate advice, these will be a real win-win for the landholders.

"I ask landholders to put a lot of effort into these things."

Mr Rickuss is correctly urging landholders to seek appropriate advice.

His position is at odds with Mr Cripps' draconian clause in the act where landowners can 'opt out' of conduct and compensation agreements.

The upshot of this is that many landholders won't be opting out – they'll be caught

out and risk losing their ability to access the Land Court, which does its best to be fair.

One wonders if Mr Cripps is advocating that landholders shun the advice of legal experts or refuse their services when dealing with mining companies.

Under parliamentary privilege and in response to the submissions from various legal firms raising concerns about the bill, Mr Cripps called them scaremongering lawyers – legal professionals with vested interests who were encouraging conflict, attracting and/or protecting their businesses, and were irresponsible.

Property Rights Australia believes that it is the minister who has been highly irresponsible.

Not only are his allegations patronising and insulting, but plainly untrue.

## PRA DISSECTING THE CRIPP-TIC

### Nonsense

■ For the government to talk about small mines as low-impact mines is nonsense. There are large mines that affect a large number of people – even entire communities – right down to small mines that affect fewer landowners.

The impact on the few can at times be severe.

**Restricted areas have been severely curtailed and will not exist for most infrastructure unless they are negotiated in a CCA.**

### Misleading

■ Again, the minister has been misleading on this subject, referring to landowners as being left with isolated infrastructure – a "Swiss cheese effect", he called it.

The reduction of restricted areas is of benefit to the resource company rather than the landowner.

**The landowner loses not only protection over important essential infrastructure on their land and privacy around their houses, but also a very real bargaining chip during negotiations.**

### Unreasonable

■ No reasonable or responsible person, company or government can expect a landowner to accept:

**Damage, loss, contamination or interference to their established business to benefit a resource company.**

### Bottom line

■ Property Rights Australia believes that at the very minimum, landowners with impacts identified in the EIS should be notified by mail, have the ability to make objections and be given unimpaired access to the Land Court.

**Queensland cannot afford to have property rights of landowners sacrificed to ensure the prosperity of the resource industries.**

– Comment: DALE STILLER



Queensland Natural Resources and Mines Minister Andrew Cripps, pictured at last year's APPEA conference in Brisbane, has delivered a bill sacrificing landholders for the benefit of miners, argues PRA chairman Dale Stiller. – Picture: GLENN HUNT.

It is negligent behaviour for the minister and the Newman government to discourage landowners to trust experienced legal professionals who are essential to protecting landowner rights in negotiations.

The minister has been misleading in his statements, not only before the bill was passed, but in defending it afterwards.

Most notable was throughout the debate stating clearly that even though the bill removes objection rights to small mines, objections can still be made on large mines.

In his speech introducing the bill for its second reading, Mr Cripps did foreshadow the later introduction of further amendments, but any informed person would have thought he was onto something quite different to what he ultimately introduced.

Despite his earlier assurances, among the amendments was one that has effectively removed the right to object to a large mine. Instead, the co-ordinator general's conditions will be considered to address the environmental concerns, precluding anyone from objecting to the Environmental Authority.

In effect, the co-ordinator general will be judge and jury, cutting off an individual's right to appeal new resource projects.