



QMDC's Comments on Modernising Queensland's Resources Acts: Discussion Paper on Legislative Framework Issues

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Submission to:

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These comments are presented by the Chief Executive Officer, Geoff Penton, on behalf of the Queensland Murray-Darling Committee Inc. (QMDC). QMDC is a regional natural resource management (NRM) group that supports communities in the Queensland Murray-Darling Basin (QMDB) to sustainably manage their natural resources.

General comments

QMDC does not believe adequate consultation time has been allowed so community groups can take the opportunity to make a submission on the *Modernising Queensland's Resources Acts: Discussion paper on legislative framework issues* (the Discussion Paper). Owing to its “landmark” type reform, proper effort should have been taken by government to engage key stakeholders, who are actively working with the industry and government to safeguard Queensland's resources for the current social and economic wellbeing of all Queenslanders and also for future generations.

QMDC supports amendments to resources and mining legislation if they provide a high level of protection for the natural resource assets and rural communities of the Queensland Murray-Darling Basin. QMDC has consistently sought a robust legislative and regulatory framework that is compatible with the protective mechanisms and community aspirations contained within regional natural resource management plans.



The major legislative overhaul of environmental law has encouraged QMDC to make numerous submissions on the government's red-tape reduction program. The extensive number of licenses and Environmental Authorities regulating, for example, the coal seam gas mining industry in Queensland has necessitated ongoing community participation in legislative processes.

There is an ever-increasing community expectation amongst QMDC member organisations and the landholders we work with that the red-tape reduction program implements an improved set of well-considered environmental management standards.

QMDC supports the streamlining of processes, but not at the cost of relaxing stringent control or oversight measures. We continue to urge the government to advance legislative reform by taking into consideration not only the individual impacts of each development or business licence application but also the cumulative impacts, social, economic and environmental, of the resources and mining industry.

QMDC supports the need to align legislative and administrative processes. QMDC has experienced how anomalies in water legislation, for example, create certain injustices especially when the mining and energy industry sector have inherent rights under the *Petroleum and Gas Act* to water and all other sectors are subject to water resource planning and allocations.

QMDC's major concern is that the resources and mining industry remains the driver for law reform and the argument for amending current regulation is still couched in terms such as reducing compliance and administrative costs to industry and government.

Red-tape fiscal arguments supporting the reduction of costs are in QMDC's opinion neither well-articulated nor factually proven. QMDC continues to assert the starting point for reform must be ensuring environmental protection and sustainability objectives are furthered, in the long term interest of the State, and not watered down because industry is having issues with the costs or the requirements of compliance.

Owing to the current nature of the industry's environmental, economic and social impacts, site specific and cumulative and all future potential risks and hazards, regulatory changes must be more stringent than ever.

All regulatory costs, whether borne by industry or government, should be an accurate reflection of those impacts and risks. This Discussion Paper should produce improved regulations and standards because that is what is required.

Overall QMDC is concerned that the drive to reduce regulation for the resources and mining industry is swimming against the tide of community expectations of government.

Solutions offered by QMDC and other key stakeholders appear to have been largely ignored by government. Prior to the release of the Discussion paper, consultation on the proposed changes to mining regulation, have not included stakeholders other than industry, lawyers, and government. This highlights the ongoing disregard of community expertise and experience with dealing with a wide range of resource and mining issues. Therefore, QMDC posits that the comprehensive review should be just that – all-inclusive, wide-ranging, far-reaching and thorough, engaging a wide range of stakeholders.

Produced by: Geoff penton & Kathie Fletcher, 17 January 2014
For further information, contact QMDC on (07) 4637 6200 or visit www.qmdc.org.au

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