

TO: Select Committee into Certain Aspects of Queensland Government
Administration
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FROM: Sandra Williams
[REDACTED]

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Dear Committee members,

Please accept this as a submission to the Select Committee on Certain Aspects of Queensland Government Administration related to Commonwealth Government Affairs.

I would like to advise the Committee about the failures of the Qld Government to properly control or regulate coal and unconventional gas mining and associated infrastructure in Qld, and the negative impacts that is having on people, communities and the environment.

In particular, I would like to draw your attention to the following:

1. The approval process for the development of mining projects for the export of coal and unconventional gas resources administered under a bilateral agreement with the Commonwealth is inadequate to address the risks these industries pose or provide a fair go to landholders and communities:
 - Recent changes to the law have removed or severely diminished the rights of community groups and neighbouring or other affected landholders to object to mining projects in court.
 - Other proposed changes will remove the requirement for coal mining companies to obtain water licences for the groundwater they extract during mining operations, thus allowing unsustainable take and posing a major risk to adjoining landholders.
 - Existing laws force landholders to sign conduct and compensation agreements, effectively under duress. So-called 'make good' agreements to compensate landholders for existing reliable sources of water are vastly inadequate.
 - The Galilee Basin State Development Area in Central Qld was declared before full approval of proposed coal rail lines was given, pre-empting the environmental assessment approach and giving mining companies the upper hand in negotiations with farmers to compulsory acquire land to build the rail corridors.
 - The Co-ordinator General is part of the Dept of State Development, Infrastructure & Planning but has important environmental approval powers. There is no adequate check on the decision-making power the role holds, and that power has actually been increased by recent law changes.
 - The repeal of the Qld Wild Rivers Act has opened up the Channel Country to the possibility of extensive, industrial shale gas mining with major risks to scarce groundwater resources.
 - The Queensland Government does not require companies to provide adequate funds to rehabilitate land post-mining, only 55 hectares has ever been signed off as adequately restored, and there is a looming multi-billion dollar public liability for rehabilitation of mining sites.
2. Qld Government policies and practices are inconsistent with Australia's obligations under international environmental law. In particular, there are examples of inconsistency with the World Heritage Convention, the RAMSAR Convention, and international migratory bird agreements and conventions. These include:
 - RAMSAR Convention: Plans to discharge untreated mine wastewater from the proposed Colton coal mine directly into the Mary River, just upstream of the RAMSAR-listed Great Sandy Strait wetlands.

- World Heritage Convention: Recent development of three LNG export terminals and one new coal port, and proposals for further coal ports, within the Great Barrier Reef World Heritage area. Discharge of mining wastewater into the Fitzroy River catchment, which flows into the Great Barrier Reef.
 - Migratory Bird Agreements: Proposals to dump dredge spoil from the proposed Abbott Point coal terminal expansion on the Caley Valley wetlands, which provide important habitat for up to 40,000 waterbirds, many of them listed on international migratory bird agreements.
3. It is inappropriate for the Federal Minister for the Environment to delegate his approval powers to the Qld State Government under the EPBC Act 1999, because:
- It is placing at risk nationally significant water resources, which are important to the entire continent and its people and landscapes.
 - The Murray Darling Basin, for example, is subject to discharge of treated CSG wastewater directly into river systems, leading to likely increases in salt load. There are also concerns that CSG drilling may have contributed to methane 'bubbling' up from the Condamine River.
 - The Great Artesian Basin is also being targeted for both coal and gas mining, with risks of depressurisation and contamination.
 - The Qld Government has even failed to protect drinking water supplies for Brisbane, with recent coal exploration allowed in the Wivenhoe Dam catchment.
 - The Qld Government has a vested interest in obtaining royalties from coal and gas developments, and does not consider cumulative impacts.
 - Qld Government compliance and enforcement practices are effectively useless, with the Qld Audit Office recently releasing a damning report on its failures.
4. Queensland Government policies and practices are inconsistent with Australia's obligations under international human rights instruments, including:
- The International Covenant on Economic, Social and Cultural Rights - The Qld Government is allowing mining companies to impinge on the right to health and an adequate standard of living, including the right to water. The Qld Government has allowed dangerous levels of coal dust pollution near townships such as Jondaryan, and in suburbs of Brisbane located along the coal train corridor. At Tara, the Qld Government has forced landholders to live in a gasfield, with subsequent health effects, without any prior Health Impact Assessments, appropriate buffer zones, baseline health testing or ongoing monitoring. Landholders and communities are losing reliable groundwater because CSG companies are dewatering the Walloon coal measures.
 - The UN Declaration on the Rights of Indigenous Peoples - The Qld Government allows mining without requiring free, prior and informed consent by Indigenous Traditional Owners, and without ensuring the right of Indigenous people to maintain and protect cultural property, and the right to religious and cultural sites. Indigenous people have raised serious concerns about losing access to their land and damage to important sites at locations such as near Tara, and on Curtis Island.
5. Other matters which we believe the committee will consider as relevant to this inquiry include the corruption and perversion of good governance in Qld and the undue influence of the mining industry on our democratic processes. In particular:
- Very large political donations from the mining industry apparently leading to favourable policy decisions eg New Hope Coal and associated entities purportedly donated \$700,000 to the state and federal Liberal/National Parties; the Qld LNP Govt back-flipped on a pre-election promise to reject an application by New Hope to expand the Acland coal mine.
 - The revolving door between the Qld Government and the mining industry eg. a number of high-ranking staff from the Co-ordinator Generals office and Dept of Environment & Heritage Protection have left to take up direct jobs with the mining industry or their representative bodies.
 - The extraordinary access which mining industry lobbyists have to Qld politicians eg. QCoal's corporate affairs chief allegedly in charge of developing the LNP environment policy since 2012.
 - The manifest inadequacy of the powers of the Crime and Corruption Commission and its failure to investigate referrals relating to the approval of CSG projects and export terminals.

6. We provide the following information pertinent to your inquiries into, and report on, the adequacy of Commonwealth oversight of the approval of coal seam gas projects in Queensland. The assessment of the big 3 CSG projects approved in Qld in 2010 (APLNG, GLNG, QCLNG) was inadequate because:
- A cost benefit analysis was not conducted of the LNG export terminals on Curtis Island prior to their approval. Recent studies have shown that the approval of those terminals, without any protection for domestic consumers from the subsequent world-parity price shock, will cost Australian households \$544M per year and industrial users up to \$3.2B per year.
 - The projects were approved despite massive uncertainty about the impacts on groundwater and on matters of National Environment Significance, and without any plan for how hazardous salt waste products would be managed.
 - The scale of the projects, the lack of details contained in them, and the uncertainty in relation to impacts is unprecedented in our experience of EPBC approvals. The approval of these projects effectively changes the nature of the EPBC Act from one of detailed impact assessment to adaptive management.

This is a hugely important issue, one that we need to get right and ensure that government at all levels is behaving appropriately, treating it's constituents with respect and ensuring environmental and human health protection is their priority, not bowing to big business requests.

Thank you

Sandra Williams