

# Coal Seam Gas and Mining

Wild Law Conference Brisbane

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**EDO** Qld.

Environmental Defenders Office

*Using the law to protect  
our environment.*



# Outline

1. Basics of petroleum and mining laws in Queensland
2. Petroleum and mining laws in the Queensland Homosphere
3. Reform proposals
4. Wild Law Dimension of Petroleum and mining laws
5. Reform Proposals

# Mining and Petroleum legislation

- Mining and petroleum activities are exempt development under Queensland land use and planning legislation and follow a separate approvals regime.
- A “significant project” declaration may be made in relation to proposed major mines or petroleum activities under the State Development legislation.
- In that case an environmental impact statement is required and the Coordinator General sets dominant environmental conditions.

# Mining and Petroleum legislation

- Proposed mining activities require an environmental authority under the *Environment Protection Act 1994*.
- Public objection rights to the Land Court apply for mining leases and related environmental authorities.
- The State government makes the final decision.

# Mining and Petroleum legislation

- Proposed petroleum activities require an environmental authority under the *Environment Protection Act 1994*.
- Public submission and later appeal rights to the Land Court apply for certain petroleum activities.





# Mining in the Homosphere

- For centuries now we humans have been enthusiastically engaged in constructing a delusionary human world that is separate from the real universe. We have rejected the biosphere into which we were born and have erected in our minds a vast, hermetically sealed “humans only world”. We have lived so long within this contrived “homosphere”, breathing in its myths of human supremacy, that it is now more real to us than Earth.
- (Wild Law Chapter 3, p51).



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# Justice within the Homosphere



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# Justice within the Homosphere



Queensland Mining Communities president Kelly Vea Vea releases survey results opposing fly in, fly out workforces in resource-rich localities.

*Source:* Central Queensland News

<http://www.cqnews.com.au/story/2011/06/27/three-quarters-of-mining-community-residents-belie/>

# Justice within the Homosphere





# Justice within the Homosphere



# Justice within the Homosphere

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**Bowen Basin Coal Growth Project:  
Caval Ridge Mine**

**Coordinator-General's evaluation  
report for an environmental impact  
statement**

August 2010

**Toward**  
Tomorrow's Queensland

**Queensland  
Government**



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# Justice within the Homosphere



# Justice within the Homosphere: Wandoan

- Friends of the Earth v Xstrata Re Wandoan Coal Mine 2011
- Climate Change Objection about adverse environmental impacts of the mine on Qld
- A mega mine 30 Mt coal pa for 30 years creating total of 1.3 billion tonnes of Carbon Dioxide equivalent
- Land Court 22 August

# Law Reform



# Reform Proposal

- Major reforms needed on access to information, fair process and accountability  
Letter to Premier 15 June 2011

# Wild law and mining





# Wild Law and mining



# Wild law and mining



# Coal Seam Gas



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# Wild law and mining



Acland resident Glen Beutel who is holding out on selling to the coal mine at the Darling Downs town near Toowoomba.

Pic: Jeff Camden *Source:* The Courier-Mail

<http://www.couriermail.com.au/spike/columnists/glen-beutel-is-the-last-man-standing-among-ghosts-at-acland-near-toowoomba/story-e6frereo-1225848992055>



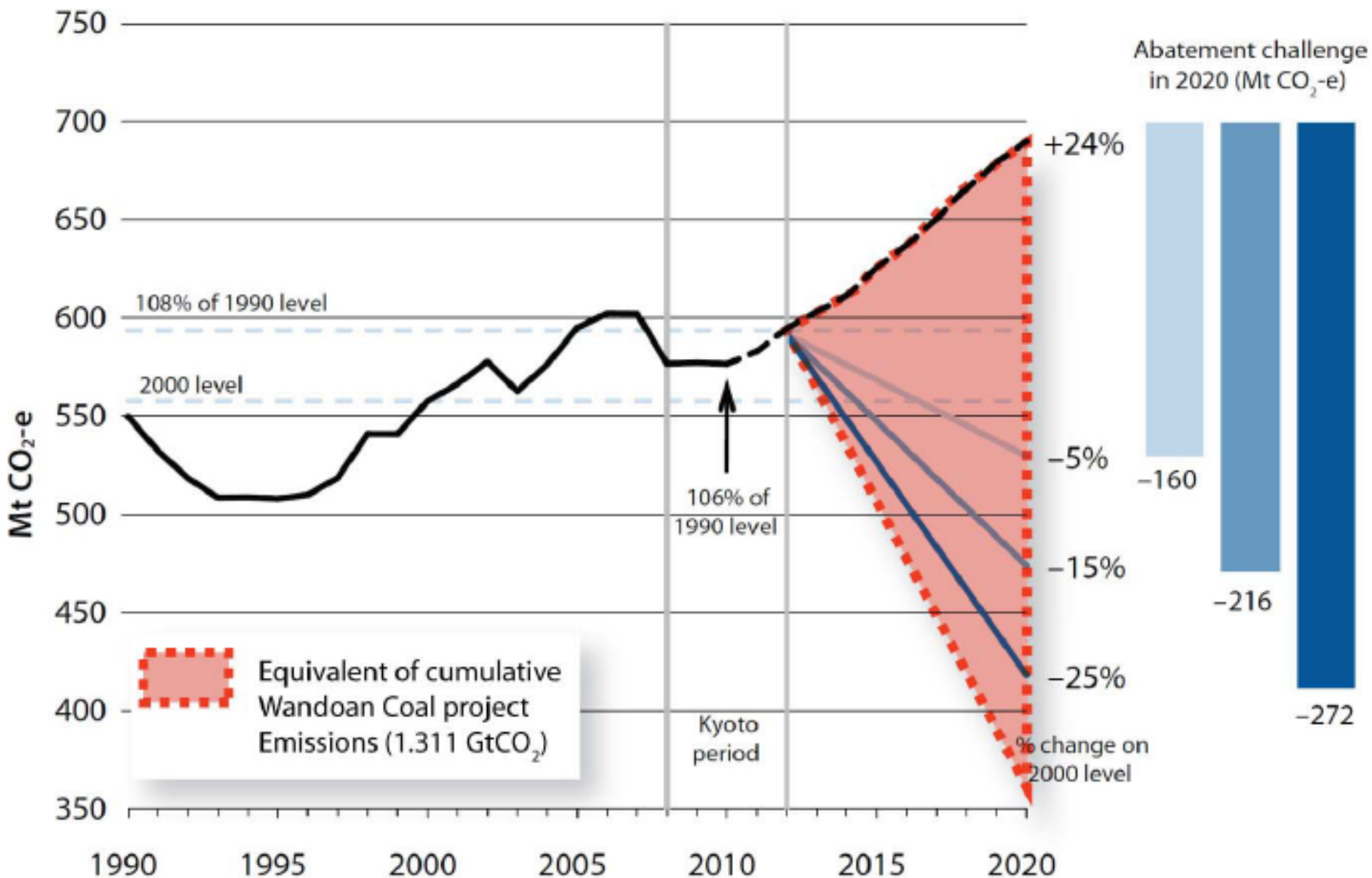
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# Wild law and mining





# Australia's emissions trends, 1990 to 2020



# Reform Proposal

- Need not merely improvements to the criteria and processes described above
- Positive and enforceable duties needed to avoid harm and to repair and restore
- As parliament is a slow moving mechanism a different mechanism is needed

# Thank you

- To organisers of the Wild Law conference.
- To State and Cth AG and private donors who fund EDO's work
- [www.edoqld/edo.org.au](http://www.edoqld/edo.org.au)