

LEGISLATIVE REFORM OF MAJOR PROJECT APPROVAL PROCESS

MOTION TWO

The LGAQ calls on the State Government to undertake legislative reform of the assessment process for major projects in Queensland to ensure contemporary impacts of major projects are appropriately consulted, considered and regulated for all stages of the project lifecycle.

DESIRED OUTCOME

Full integration and line-of-sight between major project 'parent' approval processes, and downstream approvals in the assessment of major projects, ensuring project impacts are fully considered at each appropriate stage of the assessment process.

Recent examples in the Isaac region have highlighted how project proponents have exploited loopholes in the assessment system to choose a path of least resistance, where impacts of these proposals have not been appropriately consulted or managed, nor align to earlier approvals issued by the Coordinator-General or Department of Environment and Science as part of the environmental impact assessment process.



BACKGROUND

Major projects, in particular mining projects go through a wide range of legislation and as a result the approvals process creates multiple loopholes.

Take the recent situation in Glenden, as an example.

QCoal received approval for the Byerwen Coal Project by way of an EIS as a coordinated project under the State Development and Public Works Organisation Act 1971.

The EIS contained numerous commitments to locate workforces in the township of Glenden – both residential and non-residential. Since receiving approval QCoal has not proceeded to develop any of its land holdings in town, and continues to pursue development of a permanent workers camp adjoining the mine site.

QCoal has lodged two proposals with council, both of which have been refused on the basis that (among other reasons) the development conflicts with the EIS approved for the Byerwen Coal Project.

This position has been reinforced by subsequent appeals to, and decisions by, the Planning and Environment Court.

In parallel, QCoal made application through the Minerals Act to seek an approval from the Minister for Resources for a mining lease for "infrastructure" over the same land adjoining the mine site.

This application triggered a very public advocacy campaign.

Development of the Clarke Creek Wind Farm has also highlighted challenges in achieving social sustainability, where decision making authority has been removed from local government, with limited scope for assessments to consider social impacts or appeal rights.

In this instance, the Isaac community has been denied the opportunity to house a construction workforce and see the benefits of the project flow into the community, owing to the proponent then commuting their workforce for over 40 km from an adjoining LGA.

Without the oversight of an overarching or parent approval, the inconsistencies in legislation will leave communities vulnerable and local governments wearing the brunt of project impacts with little to no recourse.