

Neighbourly compensations: lawyers, parliamentary submissions and coal seam gas

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Where to?

- Background to CSG and compensation
- Origin of legislative case study
- Compensation and space: who is in/out?
- Rural sociospatiality

Background to CSG and compensation

- Compensation approaches vary (Huth *et al.*, 2018), one way to obtain local benefits for the community (Measham *et al.*, 2016)
- Compensation determined by Conduct and Compensation Agreements in Qld
- 5, 711 agreements entered into at 30 June 2017, \$387m in compensation paid to landholders (GasFields Commission Queensland, May 2018)

Inquiry into Mineral, Water and Other Legislation Amendment Bill 2018 (Qld)

- Submissions to Qld State Development, Natural Resources and Agricultural Industry Development Committee
- Arguments over spatial extent of compensation under section 81 of *Mineral and Energy Resources (Common Provisions) Act 2014* (Qld)
- Submissions: rural law firms, Lock the Gate, gas industry, Qld Law Society

‘Compensatable effects’

Deprivation of possession of the land’s surface; diminution of its value; severance of any part of the land; any cost, damage or loss arising from the carrying out of activities under the resource authority on the land; and necessary/reasonable accounting, legal or valuation costs incurred to negotiate or prepare a Conduct and Compensation Agreement (section 81(4) *MER(CP) Act*)

Split on compensation amendment

Organisational stakeholder	Position on amendment to section 81
Queensland Department of Natural Resources, Mines and Energy, Queensland Resources Council, Queensland Law Society, Australian Petroleum Production and Exploration Association	<u>In favour</u> : Argued there was no change in the obligation to compensate neighbouring landholders upon whose land advanced resource activities were being conducted
Lock the Gate, Shine Lawyers, Marland Law, Protect the Bush Alliance, Basin Sustainability Alliance	<u>Not in favour</u> : Viewed proposed amendment as a removal of the right of landholders in the mining tenement area to claim compensation for impacts of resource activities carried on 'next door to them'

Rural sociospatiality

- Eg. Submissions from self-described ‘regional solicitors’, ‘one of a very small number of rural lawyers who act for landholders’ (Marland Law Submission, 2018)
- Relevance of infrastructure (or the absence of it) in the rural landscape to compensation discussions (Pruitt, 2014)