

Mining liability to be shared

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INDIVIDUAL mine managers will no longer face sole criminal legal liability over industrial deaths and accidents under a plan to clear regulatory bottlenecks for the nation's mining and energy exporters.

The push for improved state-federal co-operation to hasten development of new mines means states are being asked to standardise approval processes and ensure faster processing of Aboriginal heritage claims.

John Howard has proposed the changes in a letter to the premiers aimed at harnessing co-operative federalism to make it easier for the nation to meet growing demand for resources.

The Prime Minister's move follows accusations by new Opposition Leader Kevin Rudd that the Government is failing to co-operate with the states, despite recognition from the premiers of progress being made through the Council of Australian Governments.

Early last year, Mr Howard appointed a three-man panel led by economist Brian Fisher to examine whether infrastructure and regulatory bottlenecks were hampering exporters.

The panel reported back in June last year attacking existing processes as cumbersome and adversarial, and dismissing claims the nation was suffering an infrastructure crisis.

In response, Mr Howard asked mining companies to identify their key problems.

His letter says the companies complained that some states had tough laws placing criminal liability for accidents solely on mine managers.

"Industry has indicated to commonwealth officials that in certain jurisdictions ... this is creating a shortage of mine managers," Mr Howard wrote.

"I seek your agreement that officials report to COAG by mid-2007 with a proposal to ensure that safety responsibilities are apportioned to all parties (organisations or individuals) to the extent they have control and influence over the operation of the mine."

The letter said states having "one-stop shops" for approval of mining, ports, rail works and energy projects failed when different states had different regulations and requirements.

"Industry has expressed concern that one-stop shop processes vary widely in a number of important aspects, including the industries and projects covered, the types of government approvals that can be co-ordinated through the one-stop shop and the level of support available to applicants," he wrote.

"Further, there is no single mechanism to facilitate co-ordination across jurisdictions."

The letter asks premiers to ensure departments assessing Aboriginal cultural and heritage claims were properly resourced to ensure such applications were heard "in a timely manner".

Mr Howard said he accepted the significance of indigenous cultural heritage, but also the importance of exports.

Federal Environment Minister Ian Campbell has introduced changes to the Heritage Act to clear repetitive regulatory demands over Aboriginal cultural claims, such as those on the Burrup Peninsula in Western Australia that are threatening a \$35 billion development.

Mr Howard asked the premiers to have their public servants work with their federal counterparts to prepare a comprehensive report addressing industry concerns by the middle of the year for the next COAG meeting.

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