

# **North Stradbroke Island Protection and Sustainability (Renewal of Mining Leases) Amendment Bill 2015**

## **Explanatory Notes**

### **Short title**

The short title of the bill is the North Stradbroke Island Protection and Sustainability (Renewal of Mining Leases) Bill 2015.

### **Policy objectives and the reasons for them**

The primary objective of the Bill is to sustainably end mining activities in the North Stradbroke Island Region by the end of 2024, and allow for rehabilitation of land in the region until the end of 2029.

### **Reasons for the Bill**

For many years there has been public discussion and debate about the interconnected issues of mining, Aboriginal land rights, and the environment on North Stradbroke Island (NSI).

Successive Governments initially proposed to permit mining activities in the North Stradbroke Island Region until 2035 and then differently phase out mining activities by 2019.

This situation has contributed toward economic and social disharmony, also creating business uncertainty and threatening the loss of a substantial number of jobs.

The Bill is designed to provide business and employment certainty and enable a realistic period to transition NSI towards a sustainable economic future, respecting that the Queensland Government has committed to phasing out sand mining on NSI.

The Queensland Government has committed to develop an Economic Transition Strategy to assist with diversifying the local economy. The stated objectives are to assist with developing sustainable industries on NSI and long-term employment opportunities for residents.

The Bill achieves a balanced approach to sustainably ending mining activities within a restricted mining path while supporting the Queensland Government vision. It provides a realistic time frame for the proposed Economic Transition Strategy.

### **Achievement of policy objectives**

The Bill achieves the primary objective of sustainably ending mining activities in the North Stradbroke Island Region by specifying the mining lease ends after 31 December 2024. After 31 December 2024, the winning of a mineral from the place where it occurs in the area of the lease is not an authorised activity for the lease. Furthermore, the mining lease ends at the end of 31 December 2029 and cannot be renewed beyond that date. As necessary the Bill imposes a restricted mine path allows for rehabilitation of land in the North Stradbroke Island Region until the end of 2029.

### **Alternative ways of achieving policy objectives**

There are no alternative ways of achieving the Bill's policy objectives of the North Stradbroke Island Protection and Sustainability (Renewal of Mining Leases) Bill 2015.

### **Estimated cost for government implementation**

The cost of administering the amended North Stradbroke Island Protection and Sustainability Bill 2011 as it relates to the management of mining leases, including environmental management will continue to be managed by existing agency resources and appropriation allocations of the Queensland Government.

### **Consistency with fundamental legislative principles**

The Bill has been drafted with regard to fundamental legislative principles (FLPs) as defined in Section 4 of the *Legislative Standards Act 1992* and is generally consistent with these provisions.

The Bill achieves a balanced approach to sustainably ending mining activities within a restricted mining path while supporting the Queensland Government vision. It provides a realistic time frame for the proposed Economic Transition Strategy.

It also accounts for the fact that successive Governments initially proposed to permit mining activities in the North Stradbroke Island Region until 2035 and then differently phase out mining activities by 2019. From this perspective the Bill provides a sensible compromise and has regard to the rights and liberties of individuals and the institution of Parliament.

### **Consultation**

There has been extensive consultation into mining activities in the North Stradbroke Island Region by successive Governments. Additional consultation has been conducted with community members, business owners as well as the mining company Sibelco. Overall it is determined that the Bill provides a sensible compromise and provides a realistic time frame for an Economic Transition Strategy to assist with diversifying the local economy by the Queensland Government.

## Notes on Provisions

### **Clause 1      Short title**

*Clause 1* states that the Bill if enacted shall be cited as the *North Stradbroke Island Protection and Sustainability (Renewal of Mining Leases) Amendment Act 2015*.

### **Clause 2      Act amended**

*Clause 2* states that subject to enactment of the Bill, the *North Stradbroke Island Protection and Sustainability (Renewal of Mining Leases) Amendment Act 2015* amends the *North Stradbroke Island Protection and Sustainability Act 2011*.

### **Clause 3      Amendment of s 2 (Object of Act)**

*Clause 3* amends the Object of the *North Stradbroke Island Protection and Sustainability Act 2011* ending mining activities in the North Stradbroke Island Region by the end of 2024 but allowing for rehabilitation of land in the region until the end of 2029.

### **Clause 4      Amendment of s 11E (Provisions about particular leases if renewed)**

*Clause 4* with regard to the winning of a mineral, restricts the mine path for the lease and confirms if, because of renewal, the lease ends after 31 December 2024. After that date the winning of a mineral from the place where it occurs in the area of the lease is not an authorised activity for the lease. Furthermore the mining lease ends absolutely at the end of 31 December 2029 and cannot be renewed beyond that date.

### **Clause 5      Insertion of new Schedule 2B**

*Clause 5* inserts a new Schedule 2B, illustrating the restricted mine path for mining leases 1105, 1117 and 1120.