



Hon Stirling Hinchliffe MP
Member for Stafford



Queensland
Government

CLLO/11089

Minister for Employment, Skills
and Mining

14 SEP 2011

Mr Neil Laurie
The Clerk of the Parliament
Parliament house
Cnr George and Alice Streets
BRISBANE QLD 4000

Dear Neil

Thank you for your letter dated 29 August 2011 forwarding petition number 1749-11. I have considered the petition carefully and am pleased to provide my response.

The Queensland Government is committed to achieving the correct balance between mining, agriculture and community needs.

Queensland is experiencing a boom in resource exploration and mining development. At the same time, urban centres are growing rapidly. As a result, exploration is increasingly encroaching on populated areas, bringing more Queenslanders into direct contact with the activities of resource companies.

It should be emphasised that an exploration permit does not give a company the right to establish a mine. However, I am very aware of community concerns about applications for these exploration permits being made throughout south east Queensland and these concerns are being addressed. Even though many of these applications appear to be highly speculative, never resulting in any access to much of this land, I understand the anxiety the existence of such applications for exploration permits may cause.

In current legislation the holder of an exploration permit cannot enter restricted land without the written consent of the landholder. The *Mineral Resources Act 1989* defines restricted land as:

- a. Land within 100m laterally of a permanent building used
 - i. mainly as accommodation or for business purposes, or
 - ii. for community, sporting or recreational purposes or as a place of worship.

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- b. Land within 50m laterally of any of the following features;
 - i. a principal stockyard
 - ii. a bore or artesian well
 - iii. a dam
 - iv. another artificial water storage connected to a water supply
 - v. a cemetery or burial place.

This means there is normally a buffer of several hectares from exploration being conducted on the ground near these buildings and fixtures. I acknowledge that even with these measures in place the community continues to have concerns about exploration in urban areas.

While Queensland has a tough regulatory framework which would make it unlikely that urban areas would ever be mined, the Government has recognised that residents require certainty.

The Honourable, Anna Bligh MP, Premier and Minister for Reconstruction, recently announced that an exploration Restricted Area (Restricted Area 384) had been declared over land bound by the South East Queensland Regional Plan 2009-2031 plus a two kilometre (km) buffer as well as other regional centres and towns across the State with a population of 1000 people or more also with a two km buffer. This two km buffer has been introduced to ensure there is an appropriate separation area between where exploration activities can occur and urban living.

The conditions attached to the Restricted Area 384 prevent any new applications for coal and other mineral exploration tenure over or near these towns being lodged. The population of 1000 for a town has been chosen as it is the smallest population that the Australian Bureau of Statistics uses as an identified urban centre.

The Department of Employment, Economic Development and Innovation (DEEDI) has created a fact sheet describing the impact of this Exploration Urban Interface Policy.

A public consultation process has commenced seeking community input into the long term solutions to address this issue. We consider community input to this process to be extremely valuable.

Further information on the consultation process is available at www.deedi.qld.gov.au , where a Consultation Issues Paper has been available to download and submissions were invited by 16 September 2011.

These restrictions are complimentary to the Queensland Government's Strategic Cropping Land Policy and will provide another layer of assurance for affected communities.

The Strategic Cropping Land Policy aims to balance the competing needs of agriculture, resource development and urban development on our best cropping land. This will ensure the long term viability of our food and fibre industries, while communities can continue to grow and the State continues to derive the economic and social benefits that resource development provides.

On 14 April 2011, the Queensland Government announced the proposed criteria and thresholds that will be used in drafting the new strategic cropping land legislation. These criteria are designed for an on-ground property level assessment to confirm whether a particular site is or is not strategic cropping land. The criteria were developed by Department of Environment and Resource Management soil scientists, DEEDI agronomists and independent soil science consultants, based on well-established soil science.

On 31 May 2011, the Government released trigger maps that identify Strategic Cropping Protection Areas and a Strategic Cropping Management Area. There are two Strategic Cropping Protection Areas—one in Central Queensland and one in Southern Queensland—which are areas under imminent development pressure. Land within the Strategic Cropping Protection Areas that meets the strategic cropping land criteria will be afforded the highest level of protection under the new legislation, which is planned to be introduced in late 2011. The Strategic Cropping Management Area includes many regions that are important to Queensland's cropping and horticultural industries and so will have new development assessment obligations compared to current arrangements.

The Government also announced its intention to include transitional arrangements for resource development projects in the new legislation. It is the Government's intention that this legislation is introduced into Parliament later this year and will provide for these transitional arrangements to apply from 31 May 2011. Advanced projects that have met certain milestones in the assessment process may be allowed to proceed on strategic cropping land, but those that do not have final environmental approvals will still be required to avoid, minimise and mitigate the impacts on Strategic Cropping Land. More information on Strategic Cropping Land can be obtained by visiting www.derm.qld.gov.au/land/planning/strategic-cropping/index.html or by calling the Queensland Government call centre on 137 468.

Any questions about this response can be referred to Mr Ken Goodwin, Mining Registrar, Mining and Petroleum Operations, Department of Employment, Economic Development and Innovation, who will be pleased to assist and can be contacted on telephone 4669 0821.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Stirling Hinchliffe', with a long horizontal flourish extending to the right.

Stirling Hinchliffe MP
Minister for Employment, Skills and Mining