



The Hon Scott Stewart MP
Minister for Resources

Your ref A685338
Our ref CTS 09923/21

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11 June 2021

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

Dear Mr Laurie

Thank you for your letter of 12 May 2021 concerning petition No. 3445-20 tabled in the Legislative Assembly on 12 May 2021, regarding responsibility for waste industry damage in Ipswich.

The petitioner's proposal to legislate a guarantee for Ipswich residents that would be the same as the Collingwood Park guarantee is not supported. The Collingwood Park state guarantee commits the state to repair any property in Collingwood Park that existed on 25 April 2008 and which is affected by mine subsidence-related damage. Where it is not cost effective to repair the property, the state will purchase the affected property at market value.

Since the Collingwood Park state guarantee was legislated in 2008, the Queensland Government has introduced a new Financial Provisioning Scheme. The scheme provides the government with access to funds in circumstances where a holder of an environmental authority for a resource activity does not comply with its obligations under the *Environmental Protection Act 1994*.

The scheme also has the capacity, subject to financial sustainability, to allocate supplementary funds for pre-scheme commencement abandoned mines work and rehabilitation research. Should any pre-scheme commencement abandoned mines in the Ipswich area require remediation activities in the future, the scheme may provide funds to undertake those activities through grant funding applied for by the Abandoned Mines Unit within the Department of Resources where funds are otherwise not made available through consolidated revenue.

For more information about the scheme please refer to www.business.qld.gov.au/running-business/environment/licences-permits/rehabilitation/financial-provisioning-scheme.

Should any issues relating to mining activities carried out under existing mining leases impact residents and their property, the holder of the mining lease will be responsible for addressing these impacts. This may involve compensation for any damages that occur to property; however, it should be noted that waste management is not an authorised activity for a mining lease under the *Mineral Resources Act 1989*. To carry out authorised waste management and landfilling activities, an operator must hold an environmental authority issued by the Department of Environment and Science under the Environmental Protection Act. Environmental authorities can include a range of conditions to minimise or prevent potential harm. Some landfilling operations in Ipswich are authorised to dispose of certain waste into former mining voids.

These activities are subject to comprehensive assessment, conditioning and ongoing monitoring to minimise potential environmental harm.

Financial assurance can be required via a condition on a holder of an environmental authority for activities including waste management. Financial assurance can be called on if the holder does not comply with its obligations under the Environmental Protection Act. If the activity ceases and the environmental authority is to be surrendered, the site may be assessed for residual risk to determine what funds are to be held by the state to mitigate any potential failings of the rehabilitated land in the future.

Issues relating to waste management, environmental authorities and financial assurance fall within the portfolio responsibilities of the Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs.

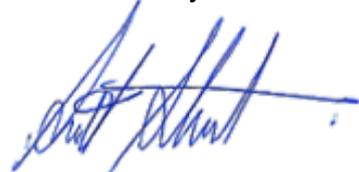
I also note that, in response to community concerns about waste management practices, land use conflicts and deficiencies in the planning provisions of the Ipswich Planning Scheme 2006, the former Planning Minister made a Temporary Local Planning Instrument (TLPI) on 6 April 2018 to regulate proposals for new or expanded waste activities in the Swanbank/New Chum area. A second TLPI was later made by the Ipswich City Council in 2018 to extend the same regulatory provisions to the Ebenezer, Willowbank and Jeebropilly areas.

Both of these TLPIs have since been remade and will remain in operation until 2022, and are currently being used by the council to assess new development applications for waste activities. In assessing new development applications, the council must have regard to assessment provisions in the TLPIs that provide increased protection to residential areas and also provide clarity and certainty to waste management operators.

Furthermore, the Queensland planning framework, through the State Planning Policy (SPP) identifies that the remaining landforms associated with past mining activities can pose a range of hazards to people and property. The SPP requires local governments to consider the effects of former mining lands and address the possible hazards that may occur within local planning schemes. This can include a range of planning mechanisms such as the zoning or identification of land through mapping, regulating new development proposals and establishing codes to identify particular development outcomes or parameters.

I provide you with this response for tabling in accordance with Standing Order 125(3). Any enquiries regarding this response can be referred to Mr Brett Murphy, Chief of Staff, on telephone 3008 3500.

Yours sincerely



Scott Stewart MP
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