

Your reference
Our reference
Contact Officer Richard de Vries
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The Research Director
Agriculture, Resources and Environment
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14 August 2012

Dear Sir/Madam,

Re: Mines Legislation (Streamlining) Amendment Bill 2012

Please note the following comments on the Mines Legislation (Streamlining) Amendment Bill 2012 (the Bill) for consideration and review by the Agriculture, Resources and Environment Committee.

These comments have been prepared at an officer level only as insufficient time was provided for the Bill to be considered by Council.

It is noted that the Resources Legislation (Balance, Certainty and Efficiency) Amendment Bill 2011 was intended to provide the legislative framework to implement a permanent solution for the long term management of the interaction between resource activities and urban living.

The current Bill does not appear to provide for this legislative framework or incorporate greater consultation with local government and the community in determining the suitability of mining activities.

Although it is noted from verbal advice provided that the current Government will be looking to address this matter through the regional planning process, this matter requires further attention and clarification.

Please note our previous comments on the 2011 Bill as outlined below. These comments remain applicable and of significant importance requiring further consideration and discussion in relation to the current Bill.

1. Urban Restriction Areas (URA) and new Restricted Area

The comments provided below generally relate to the application of the Urban Restriction Areas framework, particularly how it may be operated through the use of the new State Planning Policy, Standard Forms and Guidelines, all of which are yet to be developed:

- 1.1 The City of Ipswich is a large urban local government area which is intended to accommodate significant additional urban growth under the South East Queensland Regional Plan 2009-2031. It is also the largest urban authority affected by mining activities and associated tenures, reflecting the significant extent of resources in the City and the historical importance of the mining industry. Owing to the issues associated with mining being an ongoing matter of significant concern within the City, it is requested that Ipswich City Council be involved in the preparation of the new State Planning Policy and the Guideline and Standard Forms that are to be prepared to implement the URA policy. In particular, it is requested that Council input be sought in developing the assessment criteria that are to be applied in determining whether Council's consent should be given to new mining activity.
- 1.2 The Ipswich local government area (Ipswich LGA) is currently wholly included in Restricted Area 384 (RA384). It is requested that the URA be declared across the whole of the Ipswich LGA for consistency with RA384, and to reflect the significant extent of resources and associated mining activity and mining tenures within the City.
- 1.3 Clarification is requested regarding the treatment of renewal applications. It is considered that a renewal application should be treated as a new activity and require local government consent. This would provide an opportunity for a local government to consider the renewal of the activity having particular regard to growth and development that has occurred from the time the activity commenced. The inclusion in the Bill of the provision that requires a local government to state the period of consent when approving an activity within a URA suggests this is the policy intent. A clarification to this effect would ensure consistency of approach.

Local government involvement in the development of a permanent solution to the long term management of the interaction between resource activities and urban living is essential and we request that further attention be provided to this matter prior to the passing of the 2012 Bill. Further consultation that engages all key stakeholders in this process should be undertaken.

Should you require any further information or clarification on the aspects raised, please contact me on (07) 3810 6251.

Yours faithfully

A handwritten signature in black ink, appearing to read 'N. Vass-Bowen', followed by a long horizontal flourish.

Nick Vass-Bowen
Strategic Planning Manager