



Speech By  
**Hon. Andrew Powell**

**MEMBER FOR GLASS HOUSE**

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**MINING AND OTHER LEGISLATION AMENDMENT BILL**

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (7.46 pm): I, too, rise to speak in support of the Mining and Other Legislation Amendment Bill 2012, particularly those amendments being made to the legislation affecting my own portfolio. The amendments to the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Act 2012, the green-tape reduction act as we know it, which are made by parts 2 and 3 of this bill are needed so that this government, as the member for Thuringowa just said, can get on with freeing up legislation and regulation that restricts Queensland's economy whilst maintaining high environmental standards.

These changes are the most significant reform to Queensland's small-mining industry in decades. The amendments will reduce red tape and deliver significant cost and administrative savings to small exploration activities and small scale opal and gemstone miners. This will deliver economic benefits to small towns through local employment and tourism in places like Quilpie, Rubyvale, Sapphire and Winton.

The amendments are being made to the green-tape reduction act prior to its commencement on 31 March this year. Amending this legislation in this way is necessary to provide an integrated and seamless transition to the new streamlined licensing framework that is being introduced through the act at that time.

The amendments introduce a new type of mining activity called a small scale mining activity. The operator of a small scale mining activity will no longer be required to hold an environmental authority to undertake the activity. Certain low-risk exploration activities for minerals other than coal and some low-risk mining claim activities will be eligible to operate without an environmental authority. Up to 1,800 mining claim holders, 256 exploration permit holders and between 500 and 750 mining lease holders could benefit from removing the environmental authority requirement, depending on their eligibility. When added to the 9,400 small business activities that will no longer need environmental approvals from 31 March this year, that is over 12,000 Queensland businesses that will be helped by this can-do government's green-tape reduction reforms. These reforms mean that Queensland small businesses can do what they do best: get on with growing the economy and employing Queenslanders.

It is important to stress, as I did at the outset, that, while an environmental authority will no longer be required, we are not walking away from our role as a strong environmental regulator. My department will continue to be responsible for overseeing the environmental aspects of this industry. Operators of small scale mining activities will need to continue complying with the general environmental duty and other rigorous environmental requirements under the Environmental Protection Act 1994.

If an operator causes an environmental problem, the full range of enforcement options available under the EPA will be available to my department to take any necessary action to address the problem. To protect against future financial liability and protect the land of the underlying tenure

owner, financial assurance and rehabilitation requirements will continue to apply to small scale mining activities. Transitional provisions have been provided to retain the current requirements after the environmental authority has been cancelled. These requirements will ultimately be replaced with conditions that will be prescribed in the Environmental Protection Regulation 2008. This approach is in line with my department's new strategic approach as outlined in the recently announced Regulatory Strategy. The department will set the standards and operators are responsible for making sure those standards are met. The Regulatory Strategy keeps environmental safeguards in place but removes roadblocks to sustainable economic development.

Consequential amendments are also being made to a number of the provisions of the green-tape reduction act to ensure that relevant provisions of the EPA continue to apply to activities that become small scale mining activities. Because my department will continue to be responsible for monitoring the environmental aspects of this industry, all of the powers of the act need to be available to authorised officers to ensure any environmental issues can be responded to appropriately, and this includes, for example, ensuring the existing powers of entry and enforcement tools are available to authorised persons when responding to issues associated with small scale mining activities. My department has worked closely with the Department of Natural Resources and Mines in preparing these amendments, which deliver economic growth in rural and regional Queensland. I thank the department for its assistance and I acknowledge my colleague and friend the Minister for Natural Resources and Mines and congratulate him for carrying these amendments in his bill. I commend the bill to the House.