




Speech By
Hon. Leanne Enoch

MEMBER FOR ALGESTER

Record of Proceedings, 14 November 2018

MINERAL AND ENERGY RESOURCES (FINANCIAL PROVISIONING) BILL

 **Hon. LM ENOCH** (Algeria—ALP) (Minister for Environment and the Great Barrier Reef, Minister for Science and Minister for the Arts) (12.25 pm): The Mineral and Energy Resources (Financial Provisioning) Bill 2018 is the most important reform in mining rehabilitation requirements in generations. It ensures a just and equitable outcome for future generations, meaning our children and grandchildren will not be cleaning up the mine site disturbance that is created today. It also protects taxpayers from having to pay for rehabilitation of mine sites.

Community attitudes around mined land have changed and the standards that were applied 50 years ago no longer meet the expectations of Queenslanders today. Today over 84 per cent of Queenslanders believe the mining industry should take responsibility for mine rehabilitation when mines are closed. As such, companies need to expand their progressive rehabilitation, and these reforms will accelerate that positive change. We have also listened carefully to industry stakeholders and we have ensured that these new laws are not retrospective.

The review of the financial assurance framework by the Queensland Treasury Corporation revealed an increasing gap between the amount of land disturbed by mining and the amount of land rehabilitated. Over 90 per cent of land disturbed by mining was not rehabilitated. Low rates of rehabilitation increase the risk of more land becoming a financial liability for taxpayers and increases the risks of environmental harm from contaminants. It is also a lost economic opportunity as converting mined land to an alternative use can provide jobs and long-term economic prospects for regional communities. The bill addresses these findings and provides a framework to increase rates of progressive rehabilitation. It delivers on community expectations that commitments for land to be rehabilitated and returned to a postmining land use will occur according to a transparent schedule.

This legislation positions Queensland to become a world leader in financial assurance and mine site rehabilitation. Communities will be able to plan for their future, now having certainty about how mines will be rehabilitated. Through the progressive rehabilitation and closure plan or PRCP, mining companies will plan from the beginning and deliver quality progressive and final rehabilitation. Through the maps and tables of rehabilitation milestones with set time frames for delivery, the PRCP will deliver certainty for the community, industry and the government for rehabilitation outcomes for a site.

Plans will be made available on the public register, delivering a transparent approach to inform the community of the rehabilitation requirements for mine sites. Ongoing monitoring of rehabilitation performance is included in the bill, with mandatory three yearly audits. This is an early warning mechanism to assess compliance against the milestone outlined in the PRCP.

Operators are also required to report annually on their performance towards the achievement of milestones. It is an offence not to comply with the PRCP schedule. Noncompliance may trigger a range of responses under the Environmental Protection Act including environmental protection orders. The bill acknowledges that in the future some areas may not be able to support a postmining land use forever. These areas are referred to as non-use management areas and will only be approved in

restricted circumstances. Land forms such as final voids or tailings facilities may not be able to support a postmining land use in the long term. New unapproved non-use management areas will need to meet the strict criteria set in the bill and be supported by sufficient justification for their approval. In addition, government has set the expectation that, unless already approved, no mine will be allowed to leave a void in a flood plain as a non-use management area.

I commend the Deputy Premier and Treasurer on her proposals to move amendments to provide a rigorous and objective process for evaluating non-use management areas that are justified in the public interest. The new public interest evaluation will ensure an objective assessment must be carried out by a qualified entity and not the applicant themselves. A non-use management area must not be approved in a PRCP unless the public interest evaluation report recommends that it is in the public interest. This is a significant step for the consideration of what is in the best interests of the community.

Approved non-use management areas will still have management milestones which will ensure that the area is designed to deliver best management practices and to minimise risks to the environment. In response to community feedback the government will also establish a rehabilitation commissioner to ensure the standards for rehabilitation in all PRCPs meet environmental best practice and the expectations of the community. Appointment of this role will take place over the next 12 months. The commissioner will be responsible for establishing best practice management for these areas providing the community with confidence that rehabilitation outcomes will stand the test of time. While existing approved non-use management areas will retain their rights, they will move to the new planning framework and will have a PRCP clearly outlining the postmining outcome.

These reforms will create jobs in an emerging rehabilitation industry. In addition, quality progressive rehabilitation will improve the social licence that the mining industry needs to have with the community. These reforms are a significant and mature step forward for Queensland's mining industry and for community confidence in mine rehabilitation.

I would like to acknowledge the work of my predecessor, Minister Miles, the former environment minister, for all of his work in progressing this bill to where we are now. I would like to acknowledge the former treasurer now Speaker, Curtis Pitt, for his work also. I would also like to acknowledge my colleague Minister Lynham and, of course, the Deputy Premier and Treasurer for all of her work and leadership in getting this bill here. This is going to make a huge difference and it is world leading, nation leading, for Queensland. I commend the bill to the House.