



Hon Andrew Cripps MP
Minister for Natural Resources and Mines

Our ref: CLLO/12115
Your ref: 10.4 Petitions

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11 DEC 2012

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

Dear Mr Laurie

Thank you for your letters of 28 November 2012 forwarding for response petitions 1930-12 and 2021-12, as recently tabled in the Legislative Assembly.

Queensland voters have entrusted the elected government to grow a four pillar economy that will drive economic growth, job creation and prosperity. The resources and energy sector is a major economic contributor for Queensland and is one of the four pillars that will help drive the economy. As part of a balanced approach, the government recognizes the importance of highest standards of environmental practice and social responsibility, and is committed to protecting the environment.

Mining and exploration activities in Queensland are administered by the Department of Natural Resources and Mines under the *Mineral Resources Act 1989* (the MRA).

On 4 June 2010, a declaration of the Wenlock River Basin was announced under the *Wild Rivers Act 2005*. As a result of this declaration, certain areas of land now declared wild river areas are not available for mining lease activities. In particular, a 500 metre High Preservation Area (HPA) was determined around the Coolibah Springs complex that is situated in the Steve Irwin Wildlife Reserve.

The company making the application to mine concluded that, as a result of the declaration of the HPA, the project was no longer viable given forecast economic conditions and that it could not proceed unless the HPA was reduced in size.

At the State election, the Queensland Government committed to protecting Cape York's iconic natural areas and areas of high conservation value, balanced with appropriate economic development.

Part of this commitment included removing the wild river declaration on Cape York.

The government has committed to replacing wild river declarations on Cape York Peninsula with a Cape York Regional Plan to be developed with the input of Cape York locals and other relevant stakeholders. This approach will not only address pristine waterway management but will also allow for the integration of protected area and natural resource management, and will support sustainable economic development opportunities for communities across the Cape York region.

Under the MRA, any eligible person may make an application over available land for the grant of a mining lease. The process for obtaining the grant of a mining lease involves a detailed assessment of the application, including public notification and an opportunity for persons affected by the application to object to the grant of the lease. Objections to the grant of a mining lease are referred to the Land Court of Queensland for determination.

The grant of a mining lease is also dependent on the issuing of a relevant Environmental Authority (EA) by the Department of Environment and Heritage Protection (EHP) under the *Environmental Protection Act 1994* (EP Act). The process for the issue of an EA involves a detailed assessment of the application, provides for public consultation, and includes opportunity for objection to the issue of the authority. Objections to the issue of an EA are also referred to the Land Court of Queensland for determination.

In relation to the mining lease application over part of the Steve Irwin Reserve, Cape Alumina Limited, (Cape Alumina) submitted an application and revised Initial Advice Statement for their Pisolite Hills Project to the Coordinator-General on 27 September 2012 for consideration as a "significant project" under the *State Development and Public Works Organisation Act 1971*. The Coordinator-General advised Cape Alumina on 2 October 2012 that the Pisolite Hills project is a "significant project" for which an Environmental Impact Statement (EIS) is required under that Act. The company will require an accepted EIS for the progression of the EA for the mining lease applications.

I should note that a "significant project" declaration does not imply the government's approval of, commitment to or support for the Pisolite Hills project. Rather, it means the project will undergo a rigorous and comprehensive environmental impact assessment involving whole of government coordination, and does not exempt the project from any approvals, laws or planning instruments.

I should also note that a new referral under the requirements of the *Environmental Protection and Biodiversity Conservation Act 1999* (Cwlth) would also be necessary for the Pisolite Hills Project as it was previously assessed as a "controlled action" under that piece of Commonwealth legislation.

In relation to the mining lease application over the Bimblebox Nature Refuge located in the Galilee Basin. The Bimblebox Nature Refuge is classed as a Nature Refuge by the *Nature Conservation Act 1992*. A Nature Refuge is to be managed to conserve the area's significant cultural and natural resources, provide for the controlled use of the area's cultural and natural resources, and provide for the interests of landholders to be taken into account.

Mining within a Nature Refuge is limited by the conditions imposed under an EA, issued by EHP under the EP Act. Any resulting EA is conditioned to provide appropriate protection of environmental values of the area as well as rehabilitation requirements.

The process for the grant of any mining lease application including the applications impacting on the Steve Irwin Reserve and the Bimblebox Nature Refuge areas will continue through due process with consideration of the requirements of all applicable environmental legislation, including environment impact assessments.

Any enquiries regarding this response can be referred to Mr Luke Croton, Regional Director, North Region, Mines, Department of Natural Resources and Mines, on telephone 4760 7434.

Yours sincerely



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