The Hon Scott Stewart MP
Minister for Resources

Queensland Government

Ref CTS 09919/21

1 William Street Brisbane
PO Box 15216 City East
Queensland 4002 Australia
Telephone +61 7 3008 3500
Email Resources@ministerial.qld.gov.au
www.resources.qld.gov.au

11 June 2021

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

Dear Mr Laurie

Thank you for your letter of 12 May 2021, concerning petition No. 3443-20 tabled in the Legislative Assembly on 11 May 2021, regarding land valuations in Ipswich suburbs near dump sites.

The Department of Environment and Science (DES) regulates waste-related environmentally relevant activities (ERAs) as described in the Environmental Protection Regulation 2019 (EP Regulation), including the assessment of applications for environmental authorities to undertake such activities.

All applications for new waste facilities are thoroughly assessed against the requirement stipulated within the *Environmental Protection Act 1994*. This includes the environmental objectives and performance outcomes described in the EP Regulation in addition to the standard criteria. When required, technical reviews are undertaken for activities which pose a high risk to environmental values, including considerations for activities with significant air/water/noise emissions or for emerging contaminants such as PFAS.

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) to regulate proposals for new or expanded waste activities in the Swanbank/New Chum area on 6 April 2018. A second TLPI was later made by the Ipswich City Council (the 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.

Applications may also require referral via the State Assessment and Referral Agency (SARA), particularly for large-scale facilities that trigger concurrent assessment under the *Planning Act 2016* (Planning Act). DES's assessment for these applications also includes assessment against the State Development Assessment Provisions for State Code 22: Environmentally Relevant Activities. The assessment against State Code 22 specifically focuses on the suitability of the proposed location and design of the development which must be deemed appropriate.

For applications not referred via SARA, proponents must still demonstrate that they either hold or have applied for the required development permit under the Planning Act or other state legislation to carry out their activity at the nominated site. If approved, conditions are applied to any resulting environmental authority to continue to manage any potential impacts from the proposed activity and to ensure that the holder undertakes their activity in a manner with measures that prevent or minimise environmental harm. Specific conditioning is applied to control higher risk activities and limits any contaminants which may be released to the air, waters, land or acoustic environments, ensuring environmental values are protected.

Results from a DES monitoring program at a composting facility at Yatala in 2015 indicated that bioaerosols generated by the facility did not present a health hazard in the local area. Bioaerosol dispersion from this composting facility was limited to within 350 to 500 metres of the site.

Dust monitoring conducted by DES at Collingwood Park from February 2019 to February 2020 did not find any evidence of Swanbank industrial area emissions leading to exceedances of air quality guidelines for protection of human health or dust nuisance in the community.

In response to the petition pursuant to the *Land Valuation Act 2010* (LVA Act)—1. class all lands within three kilometres of waste handling facilities as valueless and no fees should apply to the landholder and 2. that the waste industries pay local governments compensation for losses in rates—I advise that the responsibility for the making of valuations under the LVA Act rests with the Valuer-General.

The Valuer-General provides statutory land valuations for all rateable properties in Queensland in accordance with the LVA Act. All non-rural land is valued using a site value methodology. Site value reflects what the land would sell for in its current condition without structural improvements on the land such as houses, buildings or sheds. The hypothetical sale assesses the price that would be realised as unencumbered estate in fee simple that might be expected to be realised if that estate were negotiated for sale as a bona fide sale. A bona fide sale is a sale on reasonable terms and conditions that a bona fide seller and buyer would negotiate at the date of valuation. This is determined by referring to other market transactions.

The Valuer-General (or his delegated valuers) research the property market, consider trends in particular market sectors, and inspect and analyse vacant or lightly improved properties that have sold. The land's characteristics are taken into consideration such as size, aspect, elevation and slope. Constraints on the use of the highest and best use of the land are also considered such as town planning restrictions, easements and contamination. The market impact of these characteristic and constraints, if any, is determined by referring to relevant sales evidence.

It should be noted that the reference in the petition to section 3.12 is not a reference to the LVA Act. The reference and quoted extract are from the Statutory Valuation Procedures and Practices under the *Land Valuation Act 2010* and provide a guide for those involved in the application of the LVA Act. The LVA Act does not specify a particular method for the valuation of contaminated land as the assumption of the hypothetical sale considers all matters affecting the value of land.

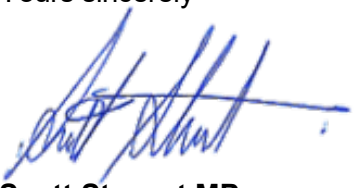
The last valuation of the Ipswich local government area—the area including Jeebropilly and Swanbank—was at 1 October 2018 with notices provided to landowners on 6 March 2019.

To levy rates (general rates, differential general rates, special rates and separates rates) a local government must calculate rates based on the rateable value of the land.

A local government may fix a minimum amount of general rates, differential general rates, special rates and separate rates. It is government policy not to intervene in local government rating decisions

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



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