



Minister for the Environment and the Great Barrier Reef
Minister for Science and Youth Affairs

Our Ref: CTS No.21648/21
Your Ref: A781104

25 November 2021

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter of 28 October 2021 regarding Parliamentary Petition No. 3596-21.

I would like to clarify the rehabilitation requirements for land disturbed by mining activities are provided for under the *Environmental Protection Act 1994* (the EP Act), not the *Mineral Resources Act 1989*. The EP Act is administered by the Department of Environment and Science (the department).

It is alleged the department has issued permits for waste activities in contravention with environmental legislation and its own policies. This is not the case. I can assure petitioners the department undertakes rigorous assessment processes for all the activities it administers consistent with prescribed legislative processes and associated policies.

Section 126D of the EP Act sets out the requirements for a progressive rehabilitation and closure plan schedule for a resource activity. These amendments came into effect on 1 November 2019, as part of the Queensland Government's mining rehabilitation reforms, and do not apply retrospectively. Existing mines are required to transition into the new progressive rehabilitation and closure plan framework and will have a period of three years to be issued a transition notice by the administering authority. Specific restrictions on leaving residual voids wholly or partly within a floodplain do not apply to pre-approved residual voids. Sites with pre-approved rehabilitation outcomes are able to transition these into their progressive rehabilitation and closure plan schedule.

Whether any residual void can be used for another environmentally relevant activity, including waste disposal, is subject to a separate rigorous assessment process before an environmental authority may be granted for the activity. This thorough assessment ensures that appropriate and relevant conditions are attached to any approval to avoid, mitigate or manage the predicted impacts on the environmental values. These conditions are monitored and there are significant penalties for non-compliance.

In relation to the specific actions the petitioners are seeking, there is no ability or grounds to order waste facilities to excavate filled voids and have them filled with clean earth. While there are provisions under the EP Act for the administering authority to cancel an environmental authority, the matters raised in the petition do not meet the specific criteria for any further consideration.

I trust that this information has been of assistance to the petitioners.

Yours sincerely

Meaghan Scanlon MP
Minister for the Environment and the Great Barrier Reef
Minister for Science and Youth Affairs