

Extractive Industries - Local Law (Repealing) Local Law No. 25 (Extractive Industries)

Local Law No. 25 (Extractive Industries)

This document relates to Council's current *Local Law No. 25 (Extractive Industries)* whose objective is to provide the criteria for when a permit is required for an extractive industry that will be carried out on land in the Ipswich Local Government Area (LGA).

Have your say

Council has reviewed the existing laws and is seeking your feedback on the proposed amendments.

The consultation period will be from 6.00 am on Wednesday 17 July to 6.00 am on Wednesday 7 August.

To have your say a written submission must be received supporting or objecting to the proposed local laws on or before the last day of the consultation period stating:

- your personal details
- The grounds for your submission (if you support/object to the proposed amendments)
- The facts and circumstances relied on in support of the grounds (the reasons why you support/object the proposed amendments)

The submission can be made by visiting ipswich.qld.gov.au/locallawreview and

- electronically using the 'Have Your Say' link which will be available from 6.00 am on Wednesday 17 July to 6.00 am on Wednesday 7 August
- or completing the form provided and
 - delivering to council's Administration Building at 45 Roderick Street, Ipswich during office hours
 - send to council at PO Box 191, Ipswich QLD 4305

All submissions must be formally received at Council no later than 6.00 am on Wednesday 7 August.

To review a copy of *Local Law No. 25 (Extractive Industries)* and the amending laws please visit ipswich.qld.gov.au/locallawreview or collect a copy from council's Administration Building at 45 Roderick Street, Ipswich during office hours.

Note: you will need to read the amending laws in conjunction with the existing laws.

Local law review

The local law review has resulted in the preparation of *Local Law (Repealing) Local Law No. 25 (Extractive Industries) 2019*. It is noted that there are no anti-competitive provisions identified in the amended law.

The current local law has been in existence for many decades. There are only seven active permits in place as of June 2019 and there have been no new permits issued in the last decade. The cost of an annual permit is \$740 equating to \$5,180 a year for the seven permits.

The local law sets out that a permit condition may include for the applicant to pay the council a contribution towards the maintenance of roads used or likely to be used in association with the extractive industry. Of the seven current permits only four of them are required to pay contributions to Council. The other three permits maintain the haul route road. The four permits in total provide \$18,350 in contributions each year.

All current permits only have conditions around road maintenance and determining haul routes plus public liability insurance. There are no other conditions specified.

Extractive industries land use is governed by the planning scheme and the permits in question have consent and development approval from the 1970's through to the 1990's. The current local law does provides criteria around noise, time of operation, tree planting, safety precautions, ingress and egress, fencing, and land reclamation. All the matters identified in the local law (except for road maintenance) are covered by other approvals, schemes and legislation. The development approval conditions, the Environmental Protection Act in particular and general nuisance provisions in other Council local laws are all able to manage complaints and issues that arise for any of the seven extractive industries currently permitted under the local law.

The recommendation to repeal *Local Law No. 25 (Extractive Industries) 2013* is based on the following factors:

- No new permits issued in over a decade
- All current seven permits are captured by development approvals and planning scheme requirements
- Minimal loss in road maintenance fees each year (\$23,530) (Noting that the cost of administering the permit system would need to be taken into consideration and would reduce the loss amount)
- Compliance issues can be managed through other legislation and approvals without the need for additional red tape and regulation by Council.