



HEALTH AND ENVIRONMENT COMMITTEE

Members present:

Mr AD Harper MP—Chair
Mr R Molhoek MP
Mr SSJ Andrew MP
Mr DJ Brown MP
Ms JE Pease MP

Staff present:

Ms R Easten—Committee Secretary
Ms R Duncan—Assistant Committee Secretary

PUBLIC BRIEFING—INQUIRY INTO THE ENVIRONMENTAL PROTECTION AND OTHER LEGISLATION AMENDMENT BILL 2022

TRANSCRIPT OF PROCEEDINGS

MONDAY, 24 OCTOBER 2022

Brisbane

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The committee met at 11.01 am.

CHAIR: I declare open this public briefing for the Health and Environment Committee's inquiry into the Environmental Protection and Other Legislation Amendment Bill 2022. I am Aaron Harper, member for Thuringowa and chair of the committee. I would like to start by respectfully acknowledging the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander peoples, whose lands, winds and waters we all now share. With me today are Mr Rob Molhoek, member for Southport and our deputy chair; Mr Stephen Andrew, member for Mirani, on the phone; Mr Don Brown, member for Capalaba, substituting for Ms Ali King, the member for Pumicestone; and Ms Joan Pease, member for Lytton.

On 12 October 2022 the Hon. Meaghan Scanlon MP, Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs introduced the Environmental Protection and Other Legislation Amendment Bill 2022 into the Queensland parliament. The bill was referred to the Health and Environment Committee for detailed consideration and report. The briefing today by officials from the Department of Environment and Science is to explain the policy objectives and key provisions of the bill.

The committee's proceedings today are proceedings of the Queensland parliament and are subject to the parliament's standing rules and orders. Proceedings are being recorded and broadcast live on the parliament's website. I remind committee members that officers are here to provide factual and technical information and any questions seeking an opinion about policy should be directed to the minister or left to debate on the floor of the House.

ANDERSEN, Ms Claire, Executive Director, Operational Support, Environmental Services and Regulation, Department of Environment and Science

HAUSLER, Mr Simon, Policy Manager, Waste Avoidance and Recovery Policy, Office of Circular Economy, Environment and Heritage Policy and Programs, Department of Environment and Science

KARLE, Ms Louise, Principal Environmental Officer, Operational Support, Environmental Services and Regulation, Department of Environment and Science

ROBSON, Mr Geoff, Executive Director, Environment and Conservation Policy and Legislation, Environment and Heritage Policy and Programs, Department of Environment and Science

STEPHAN, Ms Scarlett, Principal Policy and Legislation Officer, Environment and Conservation Policy and Legislation, Environment and Heritage Policy and Programs, Department of Environment and Science

CHAIR: I welcome representatives from the Department of Environment and Science. I invite you to make an opening statement.

Mr Robson: Thank you for the opportunity to appear before the committee today. In my opening statement I would like to outline the key features of the Environmental Protection and Other Legislation Amendment Bill 2022. This bill amends the Environmental Protection Act 1994, the Waste Reduction and Recycling Act 2011 and the Wet Tropics World Heritage Protection and Management Act 1993 and includes minor consequential amendments to the Land Title Act 1994.

Many of the amendments in the bill have been identified by the Department of Environment and Science through ongoing engagement with industry and the conservation sector or as a result of assessment and compliance activities and prosecutions over recent years. Amendments to the Environmental Protection Act will support industry, streamline and clarify regulatory processes, better
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protect the environment and improve community input and transparency. The proposed amendments will ensure that the environment is protected through contemporary, effective and efficient environmental regulation.

To support industry, amendments will resolve implementation issues with the estimated rehabilitation cost and progressive rehabilitation and closure planning frameworks and better support operators of non-resource activities to seek a short-term environmental authority to trial new and innovative approaches. The bill also allows the administering authority to issue temporary authorities in an emergency situation. The amendments enable temporary authorities to be granted to ensure operations can meet their environmental requirements when faced with an emergency such as flooding.

To better protect the environment and improve community input, the bill enhances the environmental impact statement process, requires public notification for all major amendment applications for environmental authorities for resource activities and refines contaminated land requirements. The bill also inserts provisions to support the implementation of a national approach for managing the environmental risks posed by industrial chemicals under the Commonwealth Industrial Chemicals Environmental Management (Register) Act 2021.

The bill will also support the department evolve as a stronger and more efficient regulator. This is achieved by strengthening executive officer liability provisions, ensuring corporate executive officers are accountable for environmental offences, providing for court orders to prohibit persistent offenders carrying out an activity and allowing criminal history reports to be sought, if required, to help protect the safety of the environmental regulator staff.

There are also amendments to improve compliance powers such as amendments explicitly authorising authorised persons to use body worn cameras and to take drones into places when exercising entry powers.

The bill amends the Waste Reduction and Recycling Act to make minor technical refinements to administrative processes. These amendments include identifying community corrections officers and corrective services facilities as an exempt business or undertaking allowing banned single-use plastic items to be supplied and used by these facilities to ensure they can continue to operate safely and effectively. There are also refinements to the end-of-waste framework to provide greater clarity and consistency for decisions relating to end-of-waste codes and end-of-waste approvals.

The bill amends the Wet Tropics World Heritage Protection and Management Act and Land Title Act in response to a public review of the Wet Tropics Management Plan 1998. The amendments aim to improve user understanding, align with other legislation and contemporise drafting practices. Specific amendments will remove a mining exemption to ensure mining is a prohibited activity in the Wet Tropics World Heritage Area, and ensure a plan of a subdivision for reconfiguring a lot in the Wet Tropics World Heritage Area cannot be registered under the Land Title Act without consent being given by the Wet Tropics Management Authority.

Consultation on the proposals that have formed the bill commenced in August 2021 with key industry, government, community and conservation stakeholders. This was followed in October 2021 by the targeted release of a consultation paper. The consultation paper presented options for possible amendments related to implementing and addressing a range of issues within the environment portfolio. Following the release of the consultation paper, briefings on the proposed amendments were undertaken with representatives from key stakeholder groups to discuss questions or concerns. Further briefings were held with key stakeholders in March 2022 and at that time stakeholders were also informed of the planned release of an exposure draft in the bill. Exposure drafts of the bill were provided to stakeholders between April and June 2022 with the opportunity for submissions to be made.

All feedback received has been considered in the finalisation of the bill. Modifications were made to several of the proposals in the bill following this stakeholder feedback. The department received submissions from a number of organisations, including agriculture and aquaculture representatives, the resources industry, environment groups, representatives of local governments and other industry groups. The department would like to thank everyone who has contributed to the consultation process.

Thank you very much for the chance to be here before the committee. We are happy to take questions. We do have a number of people from the department, reflecting the fact that we are dealing with a number of matters across the portfolio.

CHAIR: Thank you very much. We do appreciate everyone being here and available this morning. The bill does cover a number of acts. I wanted to talk about that consultation and the targeted release paper. In terms of those key stakeholders—and you mentioned agriculture, aquaculture and resources—who were the main players in that consultation process?

Mr Robson: That is the consultation process commencing in August 2021. There was a release of a consultation paper to targeted stakeholders and that was in October 2021. It was mainly in relation to representative groups. We had representative groups from the resources industry, environment and community groups and some other industry groups at the time. There was a circulation of the consultation paper. In terms of the full list of who that was provided to, my notes have largely got the information share around who we received submissions from. Those submissions were received through essentially three phases of the process: the consultation paper in October 2021 and then two phases on the exposure draft bill. If you would like, I could actually list out the names of the organisations we received submissions from. That is in particular with respect to the exposure draft of the bill if you would like.

CHAIR: That would be helpful.

Mr Robson: It is not too long a list and it is a mixture of both companies and industry and community environment group representatives. That list includes Glencore, the Australian Prawn Farmers Association, Cement Concrete & Aggregates Australia, Queensland Water Directorate, Queensland Resources Council, Australia Pacific LNG, Australian Barramundi Farmers Association, Australian Petroleum Production and Exploration Association—APPEA, the Environmental Defenders Office, the Association of Mining and Exploration Companies, AgForce and the Local Government Association of Queensland. That, in fact, is a list of stakeholders who have been involved at different points throughout the process. We received submissions from them throughout parts of the process.

CHAIR: Was there any opposition to any of these amendments from those stakeholders or was it all generally supportive?

Mr Robson: There is a wide range of amendments that are in this bill and the consultation paper did have a wide range of proposals that were being put forward. Yes, some of them did not receive support from different stakeholder groups, so the department essentially took that feedback through different stages of the process to provide advice to the minister or the government, depending on where we were up to in the process. Some of the proposals were removed. They are proposals that were consulted on and they are not in the final bill that the government supported for introduction. Other proposals have been amended as a result of the feedback received in that consultation.

Mr MOLHOEK: I have read the explanatory notes and I have read through the written briefing. I am struggling to understand exactly what will happen as a result of this legislation. There is lots of language around enhancing processes, legislative alignment, operational certainty and minor administrative changes, but I struggle to understand how the environment is actually any better off. What does it mean in practice and what areas of environmental practice does this legislation impact on? Is it something that farmers should be concerned about or does it specifically deal with issues in the mining industry or is it going to have an impact on nature-based tourist operators? I struggle to understand what it is actually going to achieve.

Mr Robson: The legislation covers a range of particularly operational matters for the act. To that extent, it is quite important for the efficiency of the operations of the regulator, the administering authority for the Environmental Protection Act. As I mentioned in my introductory remarks, the proposals for the legislation have been identified through, in some cases, ongoing engagement with industry and community over time. Perhaps the best way to explain the purpose of the bill and what sort of effect it has in practice is if I highlight some of the key provisions that are in the bill and the sorts of outcomes they have, if that would be helpful. In terms of better protection for the environment and community input, there is a requirement for public notification for all major amendment applications for environmental authorities for resource activities. That is a significant part of the process that will enhance transparency for the community. Arguably, greater transparency around process is better for the environment as well.

Mr MOLHOEK: But haven't mining applications always been subject to public notification and impact assessment and environmental studies, reports and public consultation?

Mr Robson: They are certainly subject to those assessment processes, but this particular amendment is about public notification for a certain class where some would be notified but not all, so in that sense it is supporting transparency, consistent with the government's approach in that area. You are quite right to the extent that it is consistent with existing frameworks, but it does actually

make it clear that, for certain classes of amendments to environmental authorities for resource activities that may or may not go out to public notification, there will now be a requirement that they all do go out for public notification. That is one example. Another example is enhancing the environmental impact assessment process, including to have old EIS reports lapse. In respect of process and ensuring the environment is protected, that means you are not working off very old EISs. The government did make a determination to modify that proposal by ensuring that proponents could seek to have an extension of their EIS, but if they do not avail themselves of that opportunity the EIS would lapse. There are refinements to the contaminated land process and—

Mr MOLHOEK: Sorry, before you go on to that point, with regard to the last point you made around the lapsing of old EISs, I received a phone call last Thursday from an individual who suggested to me that what this legislation would effectively do is provide your department with the power to retrospectively revoke or withdraw up to 8,000 environmental applications across the state which would impact on farmers, some nature-based tourism applications that have been sitting out there for a while and aquaculture, and that we should be concerned about this legislation because it provides you with a head of power to retrospectively withdraw environmental approvals. Is that the case or is that someone being paranoid and alarmist in ringing me and telling me that? It was not a party member; it was a business person from up your way, Chair.

Mr Robson: In terms of the description of revocation of environmental authorities, there is nothing in this bill that goes to that issue at all. It is hard for me to make comment on that in any detail, apart from saying that there is nothing along those lines in the bill.

Mr MOLHOEK: Could they have been referring to this particular issue of lapsed EIS reports? The suggestion was that there were about 8,000 approvals out there that were all in jeopardy of being revoked if this legislation was passed.

Mr Robson: Not in respect to the EIS process. Importantly, the amendments to the EIS process here are about the review and assessment of EISs. EISs are only carried out for large projects, so the 8,000 number you are talking about, in respect of the constituent speaking to you, is probably a figure that would reflect the total number of activities being carried out across the state that may be classed as environmentally relevant activities. That is under the existing legislation. In that sense, I do not see a link between the particular concern that is being raised with you and the EIS amendments. As I say, in terms of the amendments going forward in this particular bill, I do not think there is anything that would come to the sort of description or concern that is being raised with you.

Mr MOLHOEK: Does the department have—I suppose you would—a register of current EIS reports that may lapse as a result of these changes or that are current and ongoing?

Mr Robson: The EIS process does allow for information for the public, obviously. The department keeps a public register with information about a whole range of activities, including carrying out of environmentally relevant activities. For further detail about the EIS process, my colleague Claire Andersen may be able to go into more detail if you wish.

Mr MOLHOEK: Did you say that register is a public register? You could go to the department's website and see all of the current information?

Ms Andersen: I work in the area that is the environmental regulator. We regulate around 9,000 authorities, which is probably where the 8,000 number that you refer to came from. That covers a wide range of activities, from mining, petroleum and gas to waste, industrial and manufacturing type activities.

In relation to environmental impact assessment processes, there are two places where you can find that information. One is on our EIS website, which has the status of all of the EISs that have gone through the process and what their current status is. We also have a public register portal. Under the Environmental Protection Act there is a requirement for the department to maintain a register of all of our authorities along with other things like compliance and enforcement activities, temporary emissions licences and a range of other administrative tools that we use.

In relation to the EIS lapsing provision that you are talking about, there are a handful of projects that have completed their EIS assessment report, which means they have been through the process and the delegate has determined whether or not it is suitable to proceed and the types of conditions that would apply to that. There is a handful that are quite outdated, and there are a couple of examples that I am happy to provide. For example, the Arrow project for the Surat gas project was completed in March 2012. There is still no application for an environmental authority, which is the next step to commence operations, so that EIS assessment report is more than 10 years out of date. The

challenges around that are that we do not have an opportunity as a regulator to seek any new information when that EA application is made, and it also does not allow, for example, if a landholder moved into that area in the preceding 10 years, an opportunity for new submissions or objections to be made. Adjacent landholders may not have an opportunity to have a say on that old EIS process. There are other mining examples. Moranbah South is an example where the EIS assessment report was completed in 2012 and they are only now seeking an EA as part of that process.

This is really about making sure there is an opportunity to make sure we are reflecting new information, new legislation, and getting advice from landholders and interested parties as part of that process. As Geoff mentioned, there is an opportunity for EIS applicants to seek an extension to that lapsing provision, and there are also some transitional arrangements in the bill so that it only applies for EISs that are commencing from after commencement of this act.

Mr Robson: On the last point that Claire raised about only applying to new EISs, I recall in the question the constituent raised with you that I think you used the word 'revocation'. In terms of that indication it is applying to new EISs. Again, with respect to revocation, there is no link to that.

Mr MOLHOEK: It is not proposing retrospective powers to overturn past applications; it is just more the fact that there may be previous applications or approvals that have lapsed or have just run out of time from a statutory point of view?

Ms Andersen: Yes.

Ms PEASE: You talked about transitional opportunities. Will you be notifying those older, dated EISs to let them know that they are old and they might need to reapply?

Mr Robson: In respect of EISs that are currently in the process, that is where the provisions allow for this only to be applied to new EISs as they are coming in. It will not actually apply to the existing ones.

Ms PEASE: Arrow is one we discussed. There is nothing that you can do in terms of the neighbours? As you raised the matter, the neighbours will have no right of objection or appeal?

Ms Andersen: Because the provision does not apply retrospectively.

Ms PEASE: It only going to apply for the future?

Ms Andersen: To give you a couple of examples, the weather challenge has arisen in the past, and we are trying to make sure we can address that in the future.

Ms PEASE: Thank you. I just did not understand that. I wanted to go further. The explanatory notes talk about improving compliance and enforcement powers to enable the better protection of the environment. I wonder if you can elaborate on that. You touched briefly on the use of drones and body worn cameras for the officers going out on the field. Could you perhaps give examples of why that is important and the benefits of that?

Ms Andersen: As I said, we regulate 9,000 environmental authorities, but we also undertake compliance for unlicensed activities just to make sure that everyone is working off an even playing field. We really want to make sure that our environmental officers have appropriate powers and tools to do their job effectively and safely. Drones, particularly with new technology these days, really give a great opportunity for our officers to be able to access information and sites that may have been physically, for whatever reason, unsafe, and we have certainly been able to collect really effective evidence through using drones.

There are a couple of other provisions in the bill that also support our compliance officers. One of them is being able to obtain a criminal history report from the police. One of the things, particularly when we are dealing with unlicensed operators and going into sites that may not be regulated, is making sure that our officers are safe as they do that and that we have an awareness around any risks that may be posed from any individuals associated with those activities.

There are also a number of other proposals particularly that I want to point out around transitional environmental programs, known as TEPs. These are tools that allow an existing authority holder to transition into compliance over time. There have been some challenges with the use of TEPs by some of our authority holders which has avoided coming into compliance and dragged out that process over a number of years. There are a number of proposed changes around that to make sure that we are approving TEPs that will bring people into compliance in a timely fashion. There are a couple of examples that hopefully assist with compliance and enforcement.

Ms PEASE: Excuse my ignorance, but do officers have any enforcement capacity or capabilities in terms of people who do not comply? You mentioned that they can access police records or criminal history records. What sorts of enforcement capabilities do these officers have?

Ms Andersen: We have environmental officers up and down the coast and they have a range of powers under the Environmental Protection Act already, including powers of entry, and a range of compliance tools that are available to them in terms of notices that can be issued. We have emergency directions, directions notices, environmental protection orders that can be issued, clean-up notices and a range of other powers that our officers have, and a range of offences under the act that they are undertaking around both proactive and reactive compliance activities.

Ms PEASE: Mr Robson, you mentioned in your opening statement some changes for corrective service workers around single-use plastics and compliance with that. Can you elaborate on why you have had to do that?

Mr Robson: Yes, certainly. It is in respect of the ability to use certain single-use plastics in these facilities. I might call on my colleague Simon Hausler from the Office of Circular Economy, which is the area of the department that was most closely involved with these amendments, and see if Simon can provide some further details for you.

Mr Hausler: The issue that was raised was that the ban on single-use plastic items affects retailers. Effectively, it makes it an offence to sell plastic items for single use. That includes things like bowls, plates, knives, forks et cetera. It was raised through consultation with us that corrective services wanted to make sure they had the opportunity to provide for certainty around continuity of service. That meant making sure that they could access those types of products from retailers. Retailers were not concerned that they would be affected by the ban. The reason that corrective services were seeking access to those was that they did not at the time have substitutes available that met the security types of issues that might have arisen in a corrections facility context and also to ensure that there was adequate safety around things like transport of food from the kitchens to the inmates. Basically, there was an existing class of exemptions for education and health type activities, and this was simply to add the corrective services into that.

Ms PEASE: I thought that might have been the case, just to make sure they were covered off.

CHAIR: I want to go back to the rehabilitation amendment. You were talking about the non-resource sector and some new, innovative processes. Can you unpack that a little bit?

Mr Robson: Certainly. They are separate things. You are quite right: in my introductory remarks I mentioned the two items together as amendment proposals that will benefit industry. The second one that you mentioned in terms of trial and innovation is actually for non-resource activities, to give an opportunity or to better support them through a process where they could get a short-term environmental authority specifically for trial and innovation. Some of the information requirements for a decision for a short-term environmental authority will be eased for those proposals in order to better support the trial of innovative techniques for the environmental authority.

The department still will, of course, ensure that environmental risks are managed through that process. They can do that, for example, by seeking as much information as possibly can be provided throughout the assessment process, as well as have the ability to ensure there are conditions on the environmental authority around the trial and innovation. That is separate to the amendments on the progressive rehabilitation and closure plans. I mentioned both of them one after the other because they are examples of proposals in the bill that support industry.

The progressive rehabilitation and closure plan amendments are a suite of amendments that relate to ensuring we have the ability in the department to ensure we maintain companies going through that process to be able to stay in the process when they are in different scenarios. At the moment, some ambiguity applies around how a resource company would be treated. For example, if they are going through a process of amalgamation or de-amalgamation—that is where projects may come together or de-amalgamate, depending on the nature of the process the companies are going through—we need to clarify how the progressive rehabilitation and closure plan process will apply to some of those companies. We also have amendments in respect of the ability to approve a progressive rehabilitation and closure plan with amendment. At the moment it is a process. It is closer to something that can be approved with conditions or refused. That, again, provides a bit more flexibility for the department. Giving that flexibility in the process is a benefit to companies as well.

Mr ANDREW: In terms of the officers and the way they conduct their business to ensure everyone is compliant, will that be happening with the different things we are putting in with the wind farms and all the compliance to do with some of the renewable things as well? It makes it very difficult for me to understand. The farmers' side of it is one thing, but what about all the big corporations that are hidden up the back that we cannot see? Are they going to keep a watchful eye on that as well?

Mr Robson: I thank the member for Mirani for that question. In respect of the question—and there was mention of wind farms and other developments like that—it is often the case, certainly for a wind farm, that it gets approval through other processes and does not require an environmental authority. The approval processes for wind farms tend to be about the location of the site, and that goes through the planning framework. The Commonwealth government, depending on the nature of the project—and that can depend on the size of project, its location et cetera—may also require an approval process for some of those large-scale renewable energy developments. In that respect, the sorts of amendments we are talking about in this bill are not relevant to those types of projects, particularly, as I say, projects that require a planning approval or the approval through the Commonwealth government.

The department might actually assist other departments that are providing advice or making assessments of those projects, including assisting the Commonwealth government, but it is not the same process whereby they would require an environmental authority from the department.

Mr ANDREW: I was wondering that because I thought we might have review all the time. I know the offset documents take care of a lot of the things that cause damage, but I wondered if the Queensland government, through the department, checked on what is actually happening in the environment. There are well over 2,000 wind farms, and that is very much going to affect our birds of prey and a lot of the birdlife. I thought we had a vested interest in making sure that was safe.

CHAIR: We will take that as a comment.

Mr Robson: There are approval processes for projects like wind farm projects, but they are undertaken by other departments or, as I said, the Commonwealth department. The member for Mirani raised some questions around compliance. I was not sure if there were any other specific matters you wanted us to address in terms of your question on compliance. Was it mainly around the issues with wind farms and other similar developments?

Mr ANDREW: I was just (inaudible) and other companies coming in that have these sorts of situations that upset the environment and have a great impact. That was all my question was about.

CHAIR: Member for Mirani, I think you have some interference there. We did not catch the very first part of that. We will take it as a comment at this stage and maybe come back to you.

Mr ANDREW: Basically, my question was about the fact that we have people who inspect all the people in the agriculture industry. I am making sure we have the same set-up and equitable arrangements for the other people, the big corporations that come in and bring things onshore as well.

Mr Robson: With respect to the projects that the Department of Environment and Science regulates, particularly through an environmental authority, we certainly do have a significant compliance program. That compliance program extends throughout the state. If the member for Mirani is seeking further information about the compliance program, we would be happy to supply him with some further information.

Mr ANDREW: I will try to meet up with you this week at parliament.

Mr MOLHOEK: I have a question around the nexus between state legislation and federal legislation. In the past, parties seeking an environmental approval for a project or whatever often had a whole lot of compliance issues or application issues they need to deal with at the state level and then they may get approval. Then they had to go through a whole other process at the federal level. It has appeared to me that the legislation at the federal level can be in conflict sometimes with what the state is requiring or vice versa. Are there any issues in this legislation that you are aware of that perhaps compound or further complicate the process for people seeking environmental approvals where they may require both federal and state approvals to proceed with a project of significance?

Mr Robson: In terms of this bill and what is relevant in terms of Commonwealth approvals and the interaction of Commonwealth and state approvals, it is the EIS process that can be relevant there. There is an assessment bilateral in place with the Commonwealth government. That streamlines the assessment process for these projects, or it can be used to streamline the assessment process for these projects. The Commonwealth still has separate approval decisions along with the state as well. The extent to which we have amendments in this bill that will hopefully in some areas provide some streamlining of the EIS process is potentially of benefit in that process. I might turn to my colleague Claire Andersen, whose area does a lot of work in the EIS space, to give you some more detail.

Ms Andersen: Wherever possible, we try to do a joint assessment between the state and the Commonwealth. That means we are assessing all of the state and national matters at the same time. As part of that, we also work very closely with the Commonwealth environment department to develop Brisbane

conditions that would be appropriate for both the state and the federal approvals processes. There is already streamlining between offset arrangements as well, so we do not duplicate offsets on approval processes. We already have quite a joined-up process around that. As Geoff said, we do give separate approvals currently.

One of the things in the bill that will bring us more in line with the Commonwealth's process and also the Coordinator-General's EIS process is introducing an earlier step. Where a proposal is clearly unacceptable, it will allow us to refuse that application proceeding. At the moment we do not have that, whereas the Coordinator-General and the Commonwealth have that step in their EIS process. That will mean that if we have a proposal, for example, that clearly cannot meet the legislation, we can go back to the proponent and indicate to them that they would need to adjust their proposal. It does give them the opportunity to resubmit their terms of reference stage or their EIS stage, which will mean that we are not wasting people's time for three, four or five years going through an assessment process when we can more clearly up-front say, 'Look, there are some real challenges with these issues. Have a look at amending your proposal so it has a better chance of proceeding.' That will allow for a bit more streamlining across the three different EIS processes.

CHAIR: It would cut some of that red tape.

Mr MOLHOEK: At various times in the past we have had referral agencies set up within planning to provide almost a one-stop-shop approach to someone with an application that seeks to bring together the various interests of the state and steer people through a simpler process. Would the same apply in a sense with what happens in terms of the relationship between the state and the feds? Is there great collaboration there, or is it very siloed?

Ms Andersen: I think we have a really good relationship with the Commonwealth environment department and work very closely on joint assessments. Wherever we can, we try to do it jointly because it does streamline the process a lot for applicants. There is the option that if the Commonwealth or an applicant does not want to do a joint assessment they can do two parallel processes; however, it tends to be in their interests to do a joint assessment process. As I said, it kind of lines up all of the assessment of impacts, looking at mitigation measures, offsets arrangements and conditioning across all of the relevant agencies.

The Department of Environment and Science coordinates across all of the Queensland government agencies through our EIS process as well. We take on board advice from the planning department, Agriculture, or Transport and Main Roads, for example, on key issues for that project to make sure we have a single Queensland government view and assessment of that process. Then we also work closely with the Commonwealth on that.

Mr MOLHOEK: You touched on the issue of offsets. In the past, some of the offset policies have meant that we have ended up with tracts of land that have not necessarily been all that advantageous. They have met an offset requirement but it has really left a state or local authority with weed control issues or other issues. Then we have had schemes where there have been offsets in terms of cash. Are there any provisions within this legislation that would ensure that our offset policies and the way that we deal with offsets are better managed into the future?

Mr Robson: This bill does not deal with the offsets framework. The offsets framework is managed under a separate piece of legislation. I would be happy to provide some further information for you about that if you are seeking some detail on that, but it is unrelated to this particular bill.

Mr MOLHOEK: I was always taught in the media that you should tailor your message to a 12-year-old. I am thinking of my granddaughters here. If I sat with them and this piece of legislation, what are the simple messages I should be delivering to them to say, 'This is really good for your future'? What does it really mean to them in practical terms? Is there going to be a better park or more trees? How do I communicate the real value of this legislation in simple terms to my constituency and my kids?

Mr Robson: The value of the legislation—and this is set out in the minister's introductory speech—is that it gives benefits to both industry and the environment through a more efficient environmental regulator. A key focus of this bill is that we have gone through a number of amendment proposals to look at the operational matters of the environmental regulator. You need to do that to ensure you have an efficient and effective regulator.

In terms of protecting the environment but also ensuring you have community and industry getting advantages out of the legislation, it is very important to invest some time in what we often refer to as the stewardship of the legislation to ensure it is operating well. If you do not have legislation operating as best it can then you will not get the best outcomes delivered through your environmental Brisbane

regulators. That is why I was drawing on some of the items earlier with respect to issues like mandatory notification. We have a more robust contaminated land framework. We also have provisions that link into the Commonwealth's framework for management of industrial chemicals and managing the environmental risks there.

If you look at the range of different issues that are included in the bill, you find that it is about effectiveness of our environmental regulation. That is going to be important for the community and industry as a whole. This bill invests a significant amount of time in those particular operational requirements to ensure we have environmental regulation that is fit for purpose and effective for the sorts of challenges that we face.

Mr MOLHOEK: I think we probably lost my four-year-old granddaughter about three sentences ago. I will work on it.

Ms PEASE: The great story is the drones and the body worn cameras. There are areas that people cannot get to easily. It is about ensuring you have the powers to be able to do that and respond when there is an emergency. It is a piece of legislation that is very much technical in nature, but those sorts of things are important.

Mr Robson: Did you say a four-year-old granddaughter?

Mr MOLHOEK: Yes.

Mr Robson: Do not forget that there are amendments to the Wet Tropics management protection act making it clear that mining is prohibited in that area. As well, there are amendments to the Land Title Act. There is an assurance that before there are changes to land use or changes to titles in that area the Wet Tropics Management Authority needs to sign off on that. Those are important things that I think are of interest to the community more broadly.

Mr MOLHOEK: Do you think we could include an amendment that says that all children are to turn off the lights when they are not in the room and turn off the TV when they are not watching it?

Ms PEASE: Not just children!

Mr Robson: It is not my place to say. I am sure I am outside the standing orders, but I would definitely say, yes, I would go for that.

CHAIR: I will send my power bill to you, Deputy Chair. I think that wraps this up nicely. I thank everyone from the department from being here today. It is certainly beneficial for the committee to understand the detail of the bill before us. We appreciate everyone's time. I declare the public briefing closed.

The committee adjourned at 11.50 am.