

Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025

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Submission By: Queensland Trust for Nature (QTFN)
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c/o Committee Secretary
Health, Environment and Innovation Committee
Queensland Parliament
Parliament House
Brisbane QLD 4000

17 December 2025

Dear Committee Secretary,

Submission on the Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025

Queensland Trust for Nature (QTFN) welcomes the opportunity to provide a submission to the Health, Environment and Innovation Committee in relation to the *Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025* (the Bill). We appreciate the chance to contribute to the Committee's consideration of proposed amendments to Queensland's environmental legislative framework at a time of significant reform and high levels of public interest in environmental governance.

QTFN is a nonprofit environmental organisation dedicated to protecting, restoring and repairing Queensland's unique biodiversity. We work in partnership with landholders, conservation organisations and government agencies to secure prosperous outcomes for nature, delivering successful and practical conservation across various Queensland landscapes. Our work is entirely governed by Queensland's environmental regulatory system, which means we have a very real understanding of how legislative design directly influences environmental outcomes.

The Bill proposes amendments across multiple Acts, with the objective of improving regulatory efficiency, streamlining approval pathways and modernising administrative processes. QTFN recognises that aspects of the Bill reflect an intent to address operational inefficiencies identified through consultation and stakeholder engagement.¹

¹ Department of Environment, Tourism, Science and Innovation (Qld), Consultation Report on Proposed Amendments to the Environmental Protection Act 1994 and Other Portfolio Legislation (2025).



QTFN strongly supports reforms that improve clarity, reduce unnecessary duplication and enhance regulatory effectiveness, of which the Bill has attempted in part. Reform tailored to efficiency must be carefully designed to avoid unintended consequences.

Environmental regulation exists to manage risk, prevent irreversible harm and protect resources that cannot be readily restored once lost. Reforms that prioritise administrative speed or flexibility without adequate safeguards may weaken environmental protections, reducing transparency and undermining public confidence in Queensland's environmental framework. Similar concerns have been raised by other conservation organisations in response to both this Bill and the consultation processes that preceded it.^{2,3}

1. Use of Environmentally Relevant Activity (ERA) Codes in Place of Environmental Authorities

A central feature of the Bill is its heavy reliance on code-based regulation for environmentally relevant activities, allowing prescribed ERA codes to operate in place of individual environmental authorities in certain circumstances. While code-based approaches may be appropriate for genuinely low-risk activities, they inherently limit site-specific assessment and reduce opportunities for public input. Without clearly defined thresholds and safeguards, this approach risks allowing environmentally harmful activities with specific and serious impacts to proceed without adequate scrutiny.

Previous responses to this Bill in earlier consultation rounds have consistently cautioned against substituting environmental authorities with codes where activities may affect sensitive ecosystems or areas containing significant environmental values.^{4,5} These concerns reflect the practical reality that environmental degradation risks are often highly location dependent and not capable of being managed through generic conditions.

QTFN considers that ERA codes should be used more sparingly, only where environmental risk is demonstrably low and well understood, and where their application will not compromise environmental outcomes. Where there is potential for significant environmental impacts on already strained resources, environmental authorities should remain the primary approval mechanism. Codes should also be accompanied by robust monitoring, reporting and audit requirements to ensure compliance is verifiable and enforceable.

² Queensland Conservation Council, Submission on the Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025 (2025).

³ Environmental Defenders Office (Qld), Submission: Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025 (2025).

⁴ Queensland Conservation Council, Submission on EP(ES)OLA Bill 2025 (2025).

⁵ Bush Heritage Australia, Comments on Proposed Queensland Environmental Approval Reforms (2025).



2. Significant Environmental Values and Decision Making Thresholds

The Bill also relies heavily on the concept of ‘significant environmental values’ to guide regulatory application and decision making. While this concept has demonstrated some merit, there are significant risks associated with this mechanism. Without clear definitions or thresholds, a substantially heavier reliance is placed on discretion or predictable outcomes. This can undermine environmental protection outcomes and can create significant regulatory uncertainty for proponents and regulators.

Multiple submissions have emphasised that significant environmental values must operate as enforceable constraints within regulatory frameworks, rather than discretionary considerations applied inconsistently.^{6,7} Without transparent criteria and publicly accessible information, there is a risk that protection of highly valuable environmental assets becomes uneven or biased.

QTFN recommends that significant environmental values be clearly defined using ecological and scientific criteria, supported by transparent mapping and identification processes. Regulatory members should be required to explicitly demonstrate how these values have been identified and considered, ensuring accountability and consistency across approvals.

3. Public Participation and Transparency

Public participation and transparency are foundational to credible environmental regulation. Several amendments proposed by the Bill reduce or streamline notification and consultation requirements. While reducing duplication may be appropriate in limited circumstances, diminished transparency can erode public trust, restrict access to information and increase the likelihood of conflict or challenges later in the approvals process.

QTFN is supportive of meaningful public (particularly place-based) participation to inform decision making, improve legitimacy and reduce the risk of disputes. We are concerned that reduced notification pathways risk excluding affected communities and limiting scrutiny of decisions with long lasting environmental, and often social, consequences.

⁶ Environmental Defenders Office (Qld), Submission on Queensland Environmental Protection Reforms (2025).

⁷ Australian Land Conservation Alliance, Nature Positive Reform: Principles for Effective Environmental Law (2025).



QTFN considers that a higher level of public notification and consultation should be retained than what is being recommended, particularly for activities with the potential to result in significant impacts. Consultation processes should remain accessible, timely and proportionate to risk.

4. Progressive Rehabilitation and Closure Planning

Progressive rehabilitation and closure planning plays a critical role in ensuring environmental impacts are addressed progressively and not deferred to the end of project life.

Replacing structured evaluation processes with broader discretionary considerations will reduce transparency and weaken accountability. Independent reviews and relevant submissions have highlighted the importance of clear criteria, public visibility and enforceable commitments in rehabilitation and closure frameworks.⁸

QTFN recommends that public interest considerations within these processes remain supported by clear guidance and transparent assessment criteria, and that decision making rationales be clearly documented. This is essential to ensure rehabilitation outcomes are realistic, enforceable and aligned with community expectations.

5. Reliance on Secondary Instruments and Discretion

The Bill places significant reliance on secondary instruments, including regulations, codes and guidelines, to determine key operational outcomes. While the flexibility these instruments can offer may be valuable, excessive reliance on these systems and processes increases uncertainty and reduces parliamentary oversight of core environmental safeguards.

Stakeholders have consistently argued that fundamental protections, thresholds and constraints should be embedded in primary legislation wherever possible, rather than left to administrative discretion. This approach improves certainty, accountability and public confidence in the regulatory framework.

QTFN considers that key environmental safeguards and decision-making parameters should be set out clearly in legislation, with secondary instruments and processes used to support implementation rather than define outcomes.

⁸ Queensland Audit Office, *Managing Mine Rehabilitation and Closure, Report 7: 2022–23*.



6. Compliance, Monitoring and Enforcement

Streamlined approval pathways increase the importance of strong compliance, monitoring, transparent reporting and effective enforcement practices to maintain positive environmental outcomes and sustaining public confidence. Without clear reporting and monitoring requirements, reforms centered around efficiency suggested by the Bill risk significantly reducing the likelihood of environmental protection and conservation.

QTFN recommends that streamlined frameworks be accompanied by clear monitoring and reporting obligations, transparent compliance data and adequate resourcing to ensure environmental standards are upheld in practice.

7. Conclusion

QTFN supports the reform of Queensland's environmental legislation where it improves clarity, efficiency and regulatory effectiveness. However, efficiency and streamlining must not come at the expense of environmental protection, transparency or accountability. The Bill would be strengthened by limiting code-based regulation, ensuring significant environmental values operate as enforceable constraints, preserving meaningful public participation, maintaining robust rehabilitation and closure planning frameworks, embedding safeguards in primary legislation and supporting strong compliance and enforcement. With amendments, the Bill has the potential to deliver improved regulatory efficiency while continuing to protect Queensland's environment.

