

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

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Parliament House
George St Brisbane QLD 4000

QCC Response to: Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025

Queensland Conservation Council welcomes the opportunity to provide a submission on the *Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025* (the Bill). QCC is the peak body for environment groups in Queensland. Since 1969, we have been representing Queenslanders who are working to protect their local and global environment from harm. We now represent over 60 groups and tens of thousands of Queenslanders across the state who want to see strong environmental protection to safeguard our unique environmental wonders.

Queensland's biodiversity is in decline. More species are being added to the threatened species list and species are being upgraded, with four Queensland specific species listed in 2024 along with eight migratory birds¹. Since 2000, threatened species in Queensland have lost 53% of their habitat extent². Habitat continues to be cleared at alarming rates. Eastern Australia is identified by the World Wildlife Fund as a global deforestation hotspot, largely driven by continued clearing in Queensland³. This clearing continues to impact threatened species habitat across the state and drive species further to the brink⁴. There needs to be a consistent focus on improving and implementing new strategies and frameworks to halt biodiversity decline.

The primary purpose of the Environmental Protection Act is to *“protect Queensland’s environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development)”*. This must be the guiding principle against which all amendments are considered. The purpose of the EP Act is not to facilitate more development.

The Queensland Conservation Council acknowledges that we meet and work across the many lands of Queensland. We wish to pay respect to their Elders - past and present - and acknowledge the important role all Aboriginal and Torres Strait Islander people play in protecting, conserving and sustaining Queensland.

QCC still has significant concerns about some parts of the Bill, which have not been addressed since the consultation on the draft report. We do not support:

- Code managed Environmentally Relevant Activities which will reduce oversight and compliance
- The removal of public interest tests from Progressive Rehabilitation and Closure Plans which could lead to even worse outcomes for un-rehabilitated mines
- The removal of public notification for Terms of References (TOR) for Environmental Impact Statements which reduces local environmental engagement with major projects
- Extension of permits for activities in protected areas to 15 years
- Extension of groundwater report time periods to five years

Additionally we call for greater clarity on:

- How Significant Environmental Values will be defined and used to protect Queensland's nature
- The definition of protected areas
- How licencing of tourism operations in protected areas will be managed for environmental protection

However, we welcome the:

- Additional powers for conservation officers
- Additional rights for landholders to protect their water under the Water Act

We do not support code managed Environmentally Relevant Activities

QCC does not support the transition to codes for Environmentally Relevant Activities (ERA) as an alternative to environmental authorities. We are not convinced by the Government's consultation report and justification that sufficient oversight and compliance can be achieved if environmentally relevant activities are not referred for state assessment at all. In particular, this reduces the ability for the Government to understand cumulative impacts that occur from multiple activities in a small area. This appears to place the burden of monitoring compliance solely on the Department, while their ability to enforce compliance is reduced.

It also makes it difficult for affected community members to understand and track nearby developments. By entirely removing financial assurances for decommissioning, rehabilitation outcomes will likely be even worse than currently.

QCC raised concerns on the types of activities deemed suitable for a mandatory code in the Technical Paper which accompanied the earlier draft Bill. We are particularly concerned that activities such as exploration for mining, petroleum and other resources, which could have significant impact, could be allocated an inappropriately low impact. QCC does not believe that exploration for coal or other minerals is low risk or appropriate to be managed by a mandatory code of conduct.

If mandatory ERA codes are introduced, we urge the Government to at least require proponents to register their activities with DETSI and have this register be made public so that communities can understand the activities happening in their region.

We recognise and support the intent to allow public consultation on the codes but are concerned that, if codes are regulatory, rather than legislative, further changes would not have to be publicly notified or consulted upon.

Public notification on terms of reference (TOR) for environmental impact statements (EIS) should be retained

We do not support the removal of public notification for TOR. This public notification provides early opportunity for community input into the assessment of major projects. Public consultation on the environmental issues that projects need to address can make sure that all locally relevant environmental matters are considered from the beginning of the project. If public notification for individual projects' TOR is removed, there should be consultation on the standard TOR which will be applied to projects.

The public interest test and monitoring for PRCP should be maintained

Queensland's mine rehabilitation framework is not working, which is evidenced by the Queensland Mine Rehabilitation Commissioner annual report showing that less than 6,000 hectares of land has been rehabilitated of the nearly 87,000 hectares of land that is disturbed by mining activities across the state, which equates to less than 2 percent of all land disturbed by mining in Queensland. This, itself, is less than one quarter of all land impacted by coal mines in Queensland¹. The low rehabilitation rate of mine sites clearly shows that the current mining rehabilitation framework needs to be substantially strengthened to ensure better compliance.

We categorically do not support removing the requirement to consider the public interests as part of the PRCP process where mines propose Non Use Management Areas (NUMA). NUMAs are a significant environmental risk and ongoing liability to the Queensland Government. There should be independent assessment of whether allowing a NUMA is in the public interest, particularly considering the cumulative impact of NUMAs across coal mining areas.

We are concerned that the Bill proposes to allow the administering authority to take into account operational constraints and historical context which could reduce rehabilitation outcomes. The site specific requirements for PRCPs already take these considerations into account. There is no reason to give these assessments more weight, especially when public interest tests are proposed to be removed. Companies should be held to contemporary best practice standards and methodologies to protect Queensland's environment.

¹ Queensland Mine Rehabilitation Commissioner (2024) [Annual Report](#)

Further, we are concerned that the Bill could remove the requirement for auditing every three years and this would lead to even lower scrutiny and worse outcomes. A minimum of 3 year audit requirements should be maintained, once mines commence rehabilitation activities. A longer period risks proponents falling unacceptably behind on their rehabilitation requirements.

We do not support extensions to residual risk requirements. The residual risk framework has been in place for five years, so proponents have had sufficient time to plan for these costs and there is no reason why they should be able to defer payments and risk to the Queensland Government, and by extension, the tax payer.

Significant Environmental Values should be consulted on

QCC supports the identification of significant environmental values. However, it is not entirely clear how these will be used. In the first instance, these must be consulted upon to ensure that these are a robust, environmentally sound set that adequately synthesise all environmental values across environmental legislations.

This should consider the research and development of the bioregional planning and attempt to define areas of irreplaceable habitat which should be protected from all development. These would need significantly more research to be implemented in a way that meets the intent of the values.

Definition of Protected Areas should be expanded

QCC supports the alignment of NCA dictionary with the use of the term 'protected area' throughout the Act, but urges further consultation on categories of State land protected areas covered by the NCA. QCC urges the re-enactment of the Forest Reserve class (or the creation of an equivalent Natural Capital Reserve) to enable efficient transition of State Forests to protected areas. Given the importance of protected areas for outcomes across a plethora of environmental policy objectives, the re-establishment of this protected area category would dramatically improve efficiencies of the State's protected area expansion program. It would further provide a mechanism to protect the State's natural capital, which will be crucial for the State to generate carbon credits under the Australian Carbon Credit Unit (ACCU) Scheme.

Regulation of Tourism Operations needs to be tightened

QCC supports well planned, nature sensitive tourism experiences around protected areas. Our submission to Destination 2045² outlined our vision for an inclusive process for identifying and planning eco-opportunities to achieve better outcomes for nature and communities.

We accept amendments enabling single integrated permits to operate across tenures. However, the Bill as drafted does not adequately ensure nature protection when granting permits. The Bill should be amended to explicitly require that permits can only be granted to

² Queensland Conservation Council (2025) [Submission to Destination 2045: Queensland's Tourism Future Consultation](#)

activities that will not adversely impact the environment and which can demonstrate, through measurable performance indicators, that they achieve ecological sustainability.

The Bill should be amended to ensure that all factors required to be considered under different Acts are still considered when granting an integrated permit. The criteria under section 115 of the *Nature Conservation Act (Protected Area Management)* (NC(PAM)) regulation and section 55I of the *Recreation Areas Management (RAM)* Act must explicitly be required to be considered in future decisions. The current draft of the Bill proposes that the chief executive can “consider any matter that [] is considered relevant”. This does not go far enough to guarantee all impacts under the various Acts are considered.

We strongly oppose granting of permits for 15 years. This is too long to allow for adaptive management of Queensland’s protective areas. The maximum permit length should be retained at five years.

We note that there are some classes of protected areas, for example, Scientific Areas and Feature Protection Areas, which are not suitable for tourism ventures and should be exempt from standardised permits.

We further urge a publicly available register of permits issued to be made available, with accurate mapping attached to each permit.

The draft of this Bill has been used as a vehicle to progress one aspect of the Destination 2045 framework, to standardise permits for different protected areas. We look forward to the rest of the Destination 2045, especially the nature focused elements, being progressed in 2026.

Changes to the Water Act should not include five year reporting

As they will enhance its effectiveness and administration, QCC supports the proposed amendments to Chapter 3 of the *Water Act 2000* to introduce standard internal and external review provisions. However, we do not support the proposed extension of groundwater reporting to five years. This leaves landholders and communities potentially exposed to dwindling or polluted groundwater for too long.

We welcome any further opportunity to engage in the continued protection of Queensland’s environment through legislation.

Kind regards,



Anthony Gough
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