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

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SUNSHINE COAST
Environment Council

17 December 2025

The Secretariat
Health, Environment and Innovation Committee
Parliament House
George St Brisbane QLD 4000
By email: HEIC@parliament.qld.gov.au

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

The Sunshine Coast Environment Council welcomes the opportunity to provide a submission on the *Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025* (the Bill).

Acknowledgement of Country

The Sunshine Coast Environment Council acknowledges that we live, work, learn and create on Gubbi Gubbi / Kabi Kabi, Jinibara, Butchulla and Waka Waka Peoples Country and recognise and respect the strength, resilience and capacity of Australia's First Nations People. SCEC pays respect to Elders past and present and acknowledges sovereignty was never ceded.

About

The Sunshine Coast Environment Council (SCEC), established in 1980, is the peak not-for-profit and non-partisan environmental advocacy organisation for the greater Sunshine Coast and adjoining regions. As the Regional Conservation Council, SCEC represents 60 member groups operating across the Noosa and Sunshine Coast Hinterlands, K'gari, and the coastal areas from Cooloola to Yarun (Bribie Island), encompassing six regional catchments. These groups collectively comprise almost 10,000 individuals, with SCEC engaging a further 5,000 supporters in environmental protection, conservation, restoration, and sustainability initiatives.

Context

While Queensland is recognised as one of Australia's most biodiverse states, its biodiversity and environmental values continue to decline at an alarming rate. Environmental legislation and associated regulatory frameworks must therefore do more than acknowledge this crisis; they must be robust, enforceable, and capable of practically delivering a reversal of biodiversity loss and the long-term recovery of ecosystems.

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. In essence, the Purpose of the EP Act is **not t**o facilitate more development.

SCEC 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
  This bill, introduced in 2025, establishes a pathway for certain lower-risk ERAs to be regulated via an **ERA code** rather than a full environmental authority. This aligns with your text's mention of transitioning to codes of practice to reduce costs
- 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
- No clear definition of “low-risk”

Additionally we call for greater clarity on:

- How Significant Environmental Values will be defined and used to protect Queensland’s nature
  - This must help to identify and strengthen opportunities to protect and restore values
- The definition of protected areas
- How licensing of tourism operations in protected areas will be managed for environmental protection

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

SCEC 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.

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.

SCEC does not support the rationale that it is a "duplicative public notification process of terms of reference for an environmental impact assessment" and submit that the current "two-step process in terms of public notification should be retained. That is, one the publication of a draft terms of reference for an environmental impact statement and then public consultation on the EIS itself.

We maintain this position with knowledge of the evidence given by DETSI at the Public Briefing—Inquiry into the Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025 on 10 December 2025[1]

The public interest test and monitoring for PRCP should be maintained

It's evident that 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 Queensland[2]. We note this data is provided by the mining companies in their Annual Returns which may represent under-reporting which makes this figure - and the nature of the residual impacts and ongoing disturbance greater.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 absolutely 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.

SCEC is concerned the Bill proposes to permit the administering authority to consider operational constraints and historical context in a manner that may dilute rehabilitation outcomes. Site-specific requirements for Progressive Rehabilitation and Closure Plans (PRCPs) already appropriately

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1 https://documents.parliament.qld.gov.au/com/HEIC-AF26/EPESOLAB20-0E11/Proof%20-%20Public%20Briefing,%2010%20December%202025.pdf

2 https://www.qmrc.qld.gov.au/__data/assets/pdf_file/0023/408524/qmrc-2024-25-annual-report.pdf

account for these factors. There is no justification for according them additional weight, particularly in circumstances where proposed amendments would remove public interest tests.

Mining proponents should be required to meet contemporary best-practice standards and methodologies for rehabilitation and ecological restoration. This is especially critical given Queensland's growing legacy of inadequately rehabilitated mine sites and degraded, non-regenerating ecosystems. Any legislative changes should strengthen—not weaken—regulatory expectations and environmental outcomes.

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

Declaring environmental values and areas that are significant environmental values
New section 9A of the EP Act enables a regulation or an environmental protection policy to declare certain environmental values as significant environmental values. This provision establishes a mechanism for formally recognising environmental values that warrant particular protection or consideration under the Act.

While SCEC supports the identification of significant environmental values to complement and strengthen current tools and instruments to protect and enhance environmental features and values, it is not sufficiently clear how this will be applied. It is imperative these are consulted on to ensure that these are a robust, holistic and environmentally sound set that strengthen environmental values across environmental legislations.

This should consider the research and development of bioregional planning and help define areas of irreplaceable habitat, for example, which should be protected from all development. A better evidence-based understanding is needed to deliver on the intent of identifying and considering such values

Light Pollution

SCEC recommends light pollution be formally recognised as an emerging environmental challenge, rather than remaining categorised solely as a nuisance. Light pollution is increasing across South East Queensland at rates exceeding global averages, driven by urban expansion and infrastructure development.

This trend is resulting in significant, escalating and cumulative impacts on:

- **Biodiversity** – Disruption to nocturnal wildlife, migratory species, and essential ecological processes.
- **Amenity** – Progressive loss of natural nightscapes and landscape character.
- **Cultural values** – Reduced visibility of dark skies, which hold cultural, scientific, educational, and tourism significance.
- **Community health and wellbeing** – Adverse effects on sleep quality and circadian rhythms.

Recommendations

1. Recognise Light-Sensitive Areas

Light-sensitive areas should be explicitly identified and incorporated into environmental planning, assessment, and regulatory frameworks, including:

- Wildlife habitats and conservation areas.
- Designated or potential dark sky places.
- Areas of cultural, spiritual, or heritage significance.

2. Develop Codes for Responsible Outdoor Lighting

Introduce mandatory, code-based standards for outdoor lighting design, installation, and operation, aligned with international and national best-practice guidance (including DarkSky International principles and National Light Pollution Guidelines for Wildlife). These standards should require lighting to be:

1. **Useful** – Installed only where and when needed, with consideration of impacts on wildlife and ecosystems.
2. **Targeted** – Directed only to required areas through appropriate shielding, positioning, and aiming.
3. **Low level** – No brighter than necessary to achieve safety or functional outcomes.
4. **Controlled** – Managed through timers, motion sensors, dimming, or curfews to minimise unnecessary use.
5. **Warm-coloured** – Preferential use of warmer colour temperatures to reduce ecological disruption and human health impacts.

3. Recognise Dark Skies as an Environmental Value

Dark skies and natural night environments should be explicitly recognised as an environmental value within Queensland's legislative and policy frameworks. This would align with the Bill's stated objectives to protect significant ecological, cultural, and community assets and would support more holistic environmental protection outcomes.

Definition of Protected Areas should be expanded

SCEC supports the alignment of the 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. SCEC encourages the reinstatement of the Forest Reserve class (or the creation of an equivalent Natural Assets Reserve) to enable efficient transition of State Forests to protected areas - or to transfer directly from State Forest tenure into Protected Area tenure . Given the importance of protected areas for outcomes across the spectrum of environmental policy objectives, protective holding tenure 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 strengthening not weakening

We note in Destination 2045
1.2 Enable one single permission for tourism operations on protected areas to streamline the permitting process for businesses.

1.2.1 Amend legislation to facilitate a single permission for tourism businesses operating on protected areas, without reducing protection for protected areas in Destination 2045

While we acknowledge there may be appropriate circumstances and operators which would suit such a system, there are many that ultimately operate in high conservation areas with varying uses and activities that should have clear and accountable oversight and obligations.

There is an example cited in the transcript of the Committee Hearing on 10 December 2025[3]
Amendments to the Forestry Act and the Recreation Areas Management Act in the bill will deliver on the commitment in the government's 20-year tourism plan, Destination 2045, for a single integrated permission. The bill enables this permission to be granted to businesses conducting tourism activities on protected areas—marine parks, state forests and recreation areas. ***For example, following the amendments a tourism operator will be able to get one single integrated permission to authorise a guided tour that involves four-wheel driving in a state forest and kayaking in a state marine park****. The amendments will provide a consistent term and one application fee for a single integrated permission.*

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3 https://documents.parliament.qld.gov.au/com/HEIC-AF26/EPESOLAB20-0E11/Proof%20-%20Public%20Briefing,%2010%20December%202025.pdf

We also refer to the Written Brief for the Health, Environment and Innovation Committee Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Bill 2025 Department of the Environment, Tourism, Science and Innovation

These activities generate different impacts and interaction with the natural environment and should be considered as separate activities warranting respective permits and obligations

Further, there doesn't appear to be consideration of how intensification of the 'activity/use' will be monitored and subsequently assessed if a 'single-permit' has already been granted. That is, a tour operator may increase the number of participants, increase the number of vehicles or craft, increase the number of places the 'tour group' goes and what they do there.

- How will this be accounted for?
- How will cumulative pressures and impacts be assessed and managed, particularly in sensitive areas already experiencing excessive visitation and 'over-tourism'

The Bill as drafted does not adequately ensure nature protection and sustainability when granting permits. The Bill should be amended to explicitly require that permits can only be granted to 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 means to progress one commitment of the Destination 2045 framework, to standardise permits for different protected areas.

Indeed, we take strong exception to media statements and promotion of the 'delivery' of the 1.2 and 1.2.1 ***before*** this bill has even gone through this Committee process[4]

[4] https://statements.qld.gov.au/statements/104172

It is timely to remind the SCEC does not support privately owned commercial infrastructure within National Parks (e.g. hotels; cabins; commercial sporting facilities and activities) unless proposed and led by theTraditional Owners with a majority equity stake in the proposal.

This is based on Cardinal Principle of the Nature Conservation Act 1992 (NCA) as the primary purpose of a national park is to conserve biodiversity and the living cultural heritage of First Nations people, not to allow for private commercial gain and skewed management regimes and often poor conservation outcomes.

Pertinent to this position is the need to remove Ecotourism as a Special facility under s35 of the NCA as a priority. By doing so, genuine and appropriate ecotourism proposals will rightly not be located 'on-park' and can be transparently and rigorously assessed against relevant environmental frameworks and legislation rather than potentially bypassing such rigour with such broad 'use' by being included within the NCA.

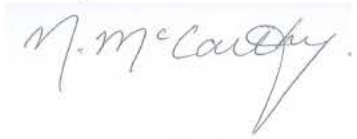
Infrastructure to support the primary purposes of national parks should be provided by the Queensland Parks and Wildlife Service and be publicly owned, for the enjoyment of all, except where a proposal is from a Traditional Owner for actions on their Country.

Adjacency
SCEC is supportive of appropriately designed, operated and low-key private infrastructure sited adjacent to national parks to provide sympathetic nature-based, eco-opportunities and educational experiences of these special and irreplaceable places.

Changes to the Water Act should not include five year reporting
As they will enhance its effectiveness and administration, SCEC 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.

Thank you for your due consideration of this submission. We look forward to future opportunities to engage in the ongoing and critical protection of Queensland's environment and restoring our unique natural assets and heritage.

Kind regards,



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