



Speech by

Hon. D. WELLS

MEMBER FOR MURRUMBIDGE

Hansard 7 October 2003

ENVIRONMENTAL PROTECTION LEGISLATION AMENDMENT BILL

Second Reading

Hon. D. M. WELLS (Murrumbidgee—ALP) (Minister for Environment) (12.53 p.m.): I move—

That the bill be now read a second time.

I rise to speak to the Environmental Protection Legislation Amendment Bill 2003. The bill continues the significant environmental reforms by this government. The proposed amendments are an example of this government's ongoing commitment to working with stakeholders to develop an effective, streamlined regulatory framework for environmental activities.

These proposals have been developed by working with stakeholders, particularly local government and industry groups, with the aim of refining existing arrangements and establishing the framework for simplifying the assessment process for environmental activities using the integrated development assessment system, IDAS, under the Integrated Planning Act 1997. The bill refines the referral arrangements for contaminated land under IDAS. The bill also establishes greater linkages to the Integrated Planning Act 1997 for those activities that are made subject to a code of environmental compliance.

Environmental approvals for mining activities and petroleum activities, which are exempt from IDAS, will continue to be assessed separately under the Environmental Protection Act 1994. The refinements of IDAS and the Environmental Protection Act 1994 approval system will further reduce red tape by providing a one-stop shop approach for proponents and operators of environmentally relevant activities. Operators of an environmentally relevant activity will be able to apply for a development approval and registration certificate at the same time as they make an application for other approvals under IDAS.

The bill will provide that all existing environmental authorities issued under the Environmental Protection Act 1994 will now be dealt with as development approvals under the Integrated Planning Act 1997. This will result in removing the duplication of approval types and processes by ensuring all activities are operating under the same approval type. Mobile and temporary activities are not administered under the Integrated Planning Act 1997, resulting in different rights and responsibilities imposed on applicants. The bill will provide that mobile and temporary ERAs are administered using a modified IDAS for these environmentally relevant activities. This will result in a single approval process, as all environmentally relevant activities, other than mining or petroleum activities, will now be assessed and conditioned using IDAS.

Through the transitional arrangements in the bill, the rights of existing operators will be retained as the environmental authorities and conditions are now treated as development approvals. This will provide the benefits of the new system to existing operators, without the need for new applications or changes to operators' rights.

The bill will remove an application and approval process that currently duplicates some requirements of the development approval process and replace this with a system of operator registration. This will reduce the information requirements placed on applicants and result in shorter decision time frames benefiting operators of activities. The removal of this dual approval process will provide cost savings for both administering authorities and industry, and simplify the current system.

A transparent and accountable registration system will consistently apply to all activities and retain the administering authority's ability to make a decision regarding an operator's suitability to carry out an activity. The registration will provide administering authorities with information regarding the operator, location and activity being conducted without requiring additional unnecessary information or additional assessment processes.

The introduction of a code of environmental compliance removes the need for applications for development approval for the ERA. Activities that are subject to a code will require the operator to comply with the relevant standard environmental conditions. These conditions will be established for activities that are standard in their operations and have a relatively low environmental impact.

This initiative builds on the existing power to make standard environmental conditions and establishes an innovative framework to ensure environmentally sustainable outcomes are achieved while further reducing red tape for industry. It will facilitate business opportunities by reducing process delays whilst maintaining a consistent set of environmental requirements to ensure the ongoing protection of Queensland's environment. To ensure this system achieves clear, practical and enforceable environmental conditions, the codes will be developed with key stakeholders, including government, peak industry and community representatives.

The bill also includes refinements to the administrative framework associated with the management of contaminated land. These initiatives refine current arrangements when the Environmental Protection Agency assesses a development. With the benefit of experience, these changes will ensure that IDAS is used to assess those proposals that require site specific assessment where environmental management solutions are no longer in place or where remediation has already occurred.

The bill addresses an oversight in the transitional provisions for mining activities under the Environmental Protection and Other Legislation Amendment Act 2000. The act omitted to provide transitional provisions for licences that had been issued but had not taken effect prior to the commencement date of the act. The Environmental Protection Act 1994 will be amended to ensure that the small number of operators of activities with such licences can continue to conduct their activities with no effects on their existing rights. The amendment on this issue provides a quick resolution that reflects this government's initial commitment to these mining operators.

The EPA has undertaken a significant process of stakeholder consultation involving state and local government, industry and community representatives. The proposals contained in this bill are the result of this work and represent a stakeholder consensus on the development of an effective, streamlined regulatory framework for environmental activities. This bill completes the integration of approval processes for environmentally relevant activities into the integrated development approval system under the Integrated Planning Act 1997. I commend the bill to the House.

Debate, on motion of Miss Simpson, adjourned.