



Speech by  
**Grace Grace**

**MEMBER FOR BRISBANE CENTRAL**

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## **ENVIRONMENTAL PROTECTION AND OTHER ACTS AMENDMENT BILL**

**Ms GRACE** (Brisbane Central—ALP) (2.50 pm): I rise to support the Environmental Protection and Other Acts Amendment Bill 2009. The bill supports the Queensland Government Environmental Offsets Policy and specific issues policies for environmental offsets. One of those policies is contained in the *Mitigation and compensation for works or activities causing marine fish habitat loss*, published by Fisheries Queensland in 2002. The policy applies when a proposed development will unavoidably impact on marine fish habitat. Unfortunately, when developments are approved often they have an environmental impact. I fully support this legislation and the amendments to it, which go towards trying to insulate against that impact as best as possible. I believe that the outcome will be a win for the development industry and, of course, a win for the environment, which sometimes inadvertently suffers because of that development.

Our state has a strong fishing industry and a strong cohort of recreational fishers. Therefore, I believe this policy will play an important role in ensuring appropriate breeding habitat for fish species, which is so important. We have seen so many species either under threat or declining and often that happens because of habitat loss. I believe that any legislation that can put in place offsets, so that the developers or the industry impacting in an area can get together and talk about how best to manage and offset what is going to happen, has to be a win for the fishing industry, a win for the fish habitat environment and, of course, a win for the development industry as well. The alternative is that there will be no development at all in an area. With offsets and a dedication to ensuring that the fish habitat is preserved, often we can have a win for both of those competing interests.

Fisheries Queensland has already had a number of environmental successes through its application of offsets when assessing and approving coastal development. I will discuss in detail a number of those examples, which I think demonstrate that those things do work. I welcome the fact that this bill will strengthen the government's offsets policy and the current legislation. It gives the legislation the power to clarify the ability to use offsets as an enforceable condition on approval. The key is that it becomes an enforceable condition that strengthens the legislation so that these things can come about in the manner in which the offsets were agreed or determined. It improves legal certainty, which I think is important. It makes the legislation clearer for state and local government decision makers so that, according to the legislation, the decision makers will know exactly what they are able to do and what they are not able to do under the legislation. It makes it clearer. We all welcome clarity in legislation. I support any amendments that bring about a clearer position. Of course, I also believe it will result in a clearer position for the development industry, which has an interest in this matter because it will be going into these areas and negotiating the offsets, and the community will benefit as well.

I acknowledge the issues raised by the member for Gladstone. When arrangements are made, we hope that the community will see that the offsets will be of benefit to them and that it is not about losing a habitat without seeing the outcome of the offsets. Through education and a clearly defined position on what is happening, with the community, local governments and state governments being able to say clearly exactly what is going to be enforced, this has to be a benefit to the community. You may know that

something is happening in your backyard, but you will also know that an area is being protected with offsets and the like. That has to be of benefit to the community in the long run. The bill supports the legislative implementation of the policy. It makes sure that the policy is implemented in the manner in which we would like it to be implemented. Legislation that supports that is a way forward.

I come to some examples of the application of offsets. One such example study concerns the Bluewater Harbour development at Half Moon Creek in beautiful Cairns. It is a multiuse development for a harbour, a canal estate and a residential estate. I believe it is an area where a lot of locals would love to live and it is a development that we would all like to be a part of in the beautiful area of Cairns. As part of the assessment process, a coordinated offset package was developed through discussions between the proponent and the developer, the Environmental Protection Agency and Fisheries Queensland. The proposal was approved subject to conditions, including the provision of an offset package. One of the offsets involved funding for two years to conduct fisheries research into recovery within the rehabilitation of East Trinity wetlands, which is a government initiative led by the Department of Environment and Resource Management. Therefore, we have a great arrangement where they are actually doing research into this habitat area. One of the fisheries projects highlights the successful return of approximately 50 finfish species, prawns and mud crabs as the rehabilitation gains momentum. It has to be a step in the right direction if you see the return of species because the habitat has been protected and research is going on. It has to be a plus for the community at large. The funding allowed the fisheries component of the rehabilitation initiative to be addressed and documented. Some great research came out of a development that otherwise would not have occurred had we not been able to enforce those offsets as per the legislation. This legislation ensures that habitat is protected.

I listened to the contribution of the member for Burnett in relation to this bill. He made some extraordinary claims. He used words such as 'government revenue raiser', 'mafia protection money', 'bribes' and 'extortion money' in relation to an offset policy. I found that to be quite extraordinary. As I come from an Italian background, I know some members opposite point at me and maybe imply that I know a little bit about some of the claims made. However, I assure the House that I have no idea about them. It was an extraordinary way of describing something that I think can bring about a win-win situation. It does not stymie developments from going ahead. It brings about an environmental consciousness that often is not there and we can achieve results such as have occurred in some of the examples that I am going to go through. I thought that his claims were over the top. I do not believe that there is any basis for some of outbursts made by the member for Burnett, who can be known for his outbursts.

Another example of the successful fish habitat offset is Calypso Bay at Jacobs Well at Pimpama.

**Mrs Smith** interjected.

**Ms GRACE:** I thank the member for Burleigh for the pronunciation. This development is a canal and residential estate which was approved, again subject to conditions, including provision of an offset package. The offset involved the proponent relinquishing title on an adjacent lot in exchange for approval of the development. So once again there was an offset in exchange for approval in this area. The adjacent lot consisted of approximately 85 hectares which was previously the subject of the separate Lagoons of Pimpama proposal. As part of the offset package the lot was taken over by the Gold Coast City Council, which worked with Fisheries Queensland and the Department of Environment and Resource Management to relocate the existing flood mitigation levy on the lot to a new location landward and away from the banks of the Pimpama River. This allowed tidal inundation to return to what were previously tidal habitats so that the entire site regained its previous tidal fisheries and related wetlands values and functions. That has to be of benefit to the environment community, and I see the member for Burleigh nodding her head in agreement. That has to be a win-win for the development and for that environmental habitat that lacked the inundation from tidal waters needed to maintain a breeding habitat for fish in that particular region.

Another example is the Port of Airlie development, which also involved the successful use of environmental offsets to obtain appropriate outcome for fish habitats. This development involves a harbour, canal estate, light industry and residential development at Muddy Bay in another beautiful part of Queensland, Airlie Beach. The development was approved on the condition that the proponent provide funding for seagrass monitoring and for impacts of the development on fisheries, fish habitats and other projects.

The Fisheries Queensland offset policy has proven successful in managing the residual unavoidable impacts of coastal development and has been revised to align with the Queensland Government Environmental Offsets Policy. As I said before, I believe that this is a step in the right direction. These particular developments that I have cited are good examples of how these offsets and developments can work together in not only improving habitat but also protecting environmental habitat.

There are many conservation organisations in Brisbane and many of them do outstanding work. While addressing this legislation and the offsets, I will take a bit of time to mention that many of them would welcome these offsets not only for fish habitat but also for fauna and flora. For example, the Bob Irwin Wildlife Fund is a not-for-profit conservation organisation affiliated with the Royal Society for the

Prevention of Cruelty to Animals in Queensland. It is dedicated to the preservation of wildlife and its habitat for future generations. The fund was inspired by Bob's son, Steve Irwin, and his passion for conservation and his commitment to continue his vision to leave this world in a better place. It is organisations such as this that are going to benefit from strengthened legislation, which this bill will provide.

I also want to pay tribute to other organisations such as Greenfest, which is an annual festival held in Brisbane's Botanic Gardens that talks about flora preservation in Queensland. It does a great job in highlighting issues around the habitat for particular species as well. One of my favourites would have to be the Northey Street City Farm, which is surrounded by development. They run courses and workshops on permaculture, organic gardening and art and craft. Classes are held outdoors weekly in what, I might add, is a new, beautiful building at the Northey Street City Farm. I am a big supporter of it. It is an oasis in the middle of a very heavily developed area of Brisbane. It survives because it has community support and it does so in an area that is undergoing extreme development, particularly due to the Airport Link project. It is an oasis in the middle of the city providing some fantastic community activity around organic gardening and preservation of the environment. They can train people to set up a city farm in their own backyard as well.

Another one I like is the Pullen Pullen Catchments Group. It is a community based volunteer landcare group operated under the umbrella of Landcare Australia. Landcare Australia is also located in my electorate. It does some fantastic work in landcare throughout Queensland. It welcomes these offsets where development is taking place that could impact on the environment and on the land that surrounds the development. I know that that group would gladly work with any offsets policy to ensure that habitat is protected, along with the Pullen Pullen Creek and Farm Creek area.

There are many organisations throughout Brisbane that will benefit from this legislation. I know that the Queensland Conservation Council also has an interest in this legislation. It ensures that when we are amending legislation conservation is at the forefront to ensure that any amendments can be strengthened and enforced. I know that they would support this, as would the Wildlife Preservation Society of Queensland. I mention just a few of these environmental groups because I know that they work very hard. I commend them for their work in not only protecting the environment, our fauna and flora but also conservation, sustainable development and ensuring that Queensland and Australia remain a very strong and secure conservation base.

As I said, in my assessment there are many good things coming out of this piece of legislation. The bill strengthens the Queensland government's offsets policy and other specific-issue offset policies. The bill ensures that they are enforceable, that the conditions that are set are enforceable and that these can be imposed on the approvals that have been given. Now we have a clear position for the development industry, for state and local government and for the community. I cannot think of a better outcome from the amendments that are included in this legislation. I do not see it as extortion. I do not see it as revenue raising. I see it as a benefit for the management of natural habitat and environmental impacts of development. I commend the bill to the House.