




Speech By
Hon. Andrew Powell

MEMBER FOR GLASS HOUSE

Record of Proceedings, 22 May 2014

ENVIRONMENTAL OFFSETS BILL

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (11.24 pm), in reply: I want to start by thanking the government members who have contributed to the debate this evening for their thoughtful and considered contributions. I acknowledge the member for Gladstone and I thank her for her contribution. I would like to spend a moment addressing some of the concerns the member for Gladstone raised.

I can tell the member for Gladstone that, during my second reading speech, I did table the government's response to the committee's report. In terms of recommendation 6, the member for Gladstone asked whether I in consultation with the Deputy Premier would publish guidelines for environmental offsets that would apply to the State Development and Public Works Organisation Act. The answer is yes. We are going to work on doing exactly that. So, as per the committee's recommendation, we will look to achieve that.

The member for Gladstone mentioned a couple of other things. She raised the question of whether the community that incurs the impact will be adequately compensated. The answer is yes. The new environmental offset policy is actually going to require an environmental offset for any impact to be located as close as possible to where that impact is occurring. What we do is we start ideally in the same local government area and we try to achieve it in the same local government area. That is getting increasingly challenging in a place like Brisbane, and it is perhaps less challenging in the Gladstone Regional Council. Certainly, in South-East Queensland, it is very hard to find something in the same local government area. We then look at the sub-bioregion of that ecosystem, we then go to the same bioregion and we then go to an adjacent bioregion. So there is actually a hierarchy that we would look to achieve.

The member for Gladstone also asked if there were any risks associated with raising 'any impact' to 'significant residual impact'. Raising the threshold to 'significant residual impact' is a risk based approach that recognises that not all impacts will have an adverse effect. If you take one tree out of what is largely an intact landscape, it is going to have an impact but the impact will not be that adverse. If, however, there is an endangered species that relies on that one tree for their habitat, then yes the impact will be significant. So that is what it is, in essence, trying to achieve—to look at whether that has a significant impact on what it is we are trying to protect. So it is very risk based and it is very scientifically based, and it is consistent with the Commonwealth government in that regard.

The member for Gladstone mentioned the inability of my department, the Department of Environment and Heritage Protection, to influence decisions made by the Coordinator-General. I completely and utterly disagree. My officers work with the office of the Coordinator-General in providing input into the decisions made by the Coordinator-General and in terms of the conditions that are imposed by the Coordinator-General, and that can include offsets and has in the past included offsets. I would point out that the member for Gladstone suggested that the Coordinator-General

makes most of the decisions when it comes to approving industry. That is not actually accurate. A vast majority of industry environmental approvals come through the Environmental Protection Act which is through my department. It certainly may not seem to be the case in the member for Gladstone's local government area because she has such an extensive state development area and therefore the Coordinator-General does oversee a lot of the projects there. But across the state, day-to-day EIS approvals, environmental authorities or environmentally relevant activity approvals all come through EHP. The other area would be the Sustainable Planning Act, and therefore it is local government and the Department of State Development, Infrastructure and Planning, which is compliant with this legislation.

So I refer those brief comments to the member for Gladstone for her consideration. I would also refer her to the response that I tabled during my second reading speech. It does outline that we are accepting more than half of the recommendations and I mentioned in my second reading speech the ones we are not accepting and I elaborated on why we are not accepting them.

I am not going to address anything that the member for South Brisbane raised because it is nothing new. We heard it all during the committee hearings, whether that was during the public briefings that were provided by my department, the numerous private briefings or the extensive written communication that was provided from the department to the committee in response to questions raised by the member and by others on the committee. So there is nothing new in what she has raised tonight with two exceptions that I will address. In relation to the National Trust and Currumbin Wildlife Sanctuary, the member spoke about the Webbe-Weller review. The Webbe-Weller review was one of many reviews—at least seven—that we can consider have been done since the 1980s on the National Trust and Currumbin Wildlife Sanctuary. All the reviews have recommended various forms of governance reform. We have brought the governance reform that the National Trust actually wanted to the House this evening to be debated. After more than 30 years of review and consideration, what we are delivering tonight is what the National Trust has been actually seeking for a number of years now.

I want to pick up on comments made by the member for South Brisbane regarding the Auditor-General's report. On a number of occasions I have accepted the recommendation of the Auditor-General's report but refuted the tone in which he suggested there was risk of serious environmental harm because of what the Auditor-General found in the department. First of all, let me say that the Auditor-General did not tell us anything we did not already know. He certainly did not tell us anything that we were not already working on. We actually said to the Auditor-General, 'Give us another six months. You did your review in 2011. Come back in six months time when we have implemented a lot of the things that you are going to tell us we need to do and then tell us whether we have achieved the changes that you have asked us to achieve.' That would have been much more useful than telling us things that we already knew.

Interestingly, the Auditor-General did not set a benchmark on what he and his team were trying to compare us against—not to the 2011 report or to any other regulator around the nation. If he was going to make comments about impacting on the environment, it would have been helpful to compare it to other jurisdictions around the nation. Certainly from our reading of it, there was no evidence found of reported or serious environmental harm having been caused because of the way EHP regulates industry. Let me say what we are doing. We are progressively replacing the former Labor government's antiquated IT systems; we are employing innovative technologies; and we have a new regulatory strategy that is getting our officers out from behind the desk, doing more compliance and monitoring than they have ever done.

In conclusion, I do want to thank many of the department officers who have now spent more than two years working on this piece of legislation, a lot of it through extensive consultation, and I am going to name them. There have been a couple who have helped us over short stretches, quick bursts, to give us a bit of assistance. So to Andrew, Catherine, Mike, Wade, Andy, Leesa, Narelle, Chris and Selina, I say thank you very much for helping out the team. To those who have been there since day one and have seen this all the way through—Carol, Jane, Vanessa, Craig, Chris, Gillian, Kaitlyn, Grant, Niall, Leanne, Briony, Andrew and Juliana—I say thank you very much for your continued efforts. To the leadership of Scott, Leslie and Tamara, I say thank you for seeing this through to tonight.

I want to also acknowledge the valued input from our regional staff who are based in Cairns, Townsville, Mackay, Emerald, Rockhampton, Toowoomba and Brisbane as well as the input from a range of other agencies, particularly State Development, Infrastructure and Planning; Natural Resources and Mines; Agriculture, Forestry and Fisheries; National Parks, Recreation, Sport and

Racing; and Queensland Treasury and Trade. It has certainly been a team effort. What we have tonight is a great piece of legislation that, for the first time, puts a legislative framework around offsets, that brings together five disparate policies into one, that achieves a great outcome for the environment because for the first time we will be getting strategic conservation outcomes for the environment and a win for business in the reduction of green tape. I commend the bill to the House.