



Speech By  
**Hon. Andrew Powell**


**MEMBER FOR GLASS HOUSE**

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Record of Proceedings, 28 August 2014

**ENVIRONMENTAL PROTECTION AND OTHER LEGISLATION AMENDMENT  
BILL**

**Introduction**

 **Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (11.11 am): I present a bill for an act to amend the Biological Control Act 1987, the Coastal Protection and Management Act 1995, the Environmental Offsets Act 2014, the Environmental Protection Act 1994, the Nature Conservation Act 1992, the Waste Reduction and Recycling Act 2011 and the Wet Tropics World Heritage Protection and Management Act 1993 for particular purposes, and to make minor and consequential amendments of the acts mentioned in schedule 1. I table the bill and the explanatory notes. I nominate the Agriculture, Resources and Environment Committee to consider the bill.

*Tabled paper:* Environmental Protection and Other Legislation Amendment Bill 2014 [\[5785\]](#).

*Tabled paper:* Environmental Protection and Other Legislation Amendment Bill 2014, explanatory notes [\[5786\]](#).

The bill amends several pieces of legislation to offer clearer and simpler processes to Queensland's businesses and stronger protection for Queensland's environment. The three key objectives are: to deliver green-tape reduction reforms, building on the first platform of significant reforms introduced in March 2013, further reducing cost to business and government while maintaining environmental standards; to support firm but fair environmental regulation and; to promote the recovery and use of waste within the economy.

In terms of delivering green-tape reduction, the bill fully implements the third-party certification system under the Environmental Protection Act, streamlining the development approval pathway for contaminated land. The bill requires auditor certification for contaminated land reports. This will halve decision-making time frames, provide a more agile service delivery model and save the government over half a million dollars each and every year. This approach is consistent with the government's Public Service renewal principles as it means the government becomes an enabler rather than a doer—an agile environmental regulator who no longer has its main focus on 'how we can stop you' but rather 'how we can help you'. In doing so, it recognises that businesses have the expertise to best meet relevant requirements.

Another key feature of the bill is to remove legislative barriers in the Waste Reduction and Recycling Act to provide a simpler process for the reclassification of waste as valuable resources. The bill amends the existing beneficial-use approval framework to meet the objective of increased resource productivity under Queensland's draft industry-led waste strategy. The more waste that can be considered as a valuable resource and not sent to landfill the better for the environment and the Queensland economy. This also removes red tape, as the use of materials will not be subject to waste management regulatory requirements. The bill also increases the maximum penalties under the Environmental Protection Act so that they are more contemporary and better aligned with the Regional Planning Interests Act and with similar offences in other jurisdictions.

This government has worked hard to make it easier for business to do business without compromising our high environmental standards. However, should those standards be compromised strong penalties are necessary to emphasise the seriousness of offences and provide an adequate deterrent from causing significant and potentially irreparable damage to the state's economic, social and environmental prosperity. They also reinforce the government's commitment to apply and enforce sound environmental standards and the perception of my department as a firm but fair regulator.

The bill also introduces enforceable undertakings in the Environmental Protection Act as an additional enforcement option, providing flexible and cost-effective ways of achieving good environmental outcomes in the face of noncompliance with the act. Enforceable undertakings are binding agreements used to remedy an offence and have proven to be a successful and popular enforcement tool. In appropriate circumstances, the use of enforceable undertakings provides a way of achieving outcomes without the need for costly and time-consuming litigation.

Amendments to the Environmental Offsets Act seek to further clarify the intended operation of the act about when an offset condition may be required so as to avoid duplicate offset conditions being imposed by different levels of government and that existing offset conditions must be considered during development assessment.

An amendment to the Nature Conservation Act provides for ministerial authority to require a local government to prepare a statement of management intent for as-of-right activities involving protected wildlife. These will assist in the management of urban flying fox roosts. A number of councils have already voluntarily adopted the use of such statements, which are proving to be important community engagement and education tools.

In addition to these amendments, the bill is also a vehicle for other more minor and technical amendments to improve the operation of various acts. This will further contribute to the government's regulatory reform and improvement agenda.

The Environmental Protection and Other Legislation Amendment Bill 2014 offers a substantial contribution to the LNP government's commitment to reduce regulatory burden and further facilitates the government's shift towards an enabler role, set out in the public sector renewal strategy.

The bill amends several key pieces of legislation to offer clearer and simpler processes to Queensland businesses that benefit industry and government as well as uphold environmental standards. We are getting out of the way of business and getting on with the job of delivering green-tape reduction reforms and building on the first platform of significant reforms introduced in March 2013, all of which have continued to maintain high environmental standards in this state. I commend this bill to the House.

### **First Reading**

**Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (11.16 am): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### **Referral to the Agriculture, Resources and Environment Committee**

**Mr DEPUTY SPEAKER** (Dr Robinson): Order! In accordance with standing order 131, the bill is now referred to the Agriculture, Resources and Environment Committee.

### **Portfolio Committee, Reporting Date**

**Hon. AC POWELL** (Glass House—LNP) (Minister for Environment and Heritage Protection) (11.16 am), by leave, without notice: I move—

That under the provisions of standing order 136 the Agriculture, Resources and Environment Committee report to the House on the Environmental Protection and Other Legislation Amendment Bill by 22 October 2014.

Question put—That the motion be agreed to.

Motion agreed to.