




Speech By
Tim Nicholls

MEMBER FOR CLAYFIELD

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SUSTAINABLE PORTS DEVELOPMENT BILL

 **Mr NICHOLLS** (Clayfield—LNP) (4.49 pm): I rise to speak in support of the amendment moved by the member for Hinchinbrook. In doing so, I am very cognisant of the importance of this bill to many people in North Queensland and to many people more broadly who are concerned about the welfare and protection of the Great Barrier Reef. Indeed, having spent considerable time on the reef in many and varied recreational activities, enjoying the benefits of the reef, I am one of those people. But I am also very cognisant of the importance of the development of the port of Cairns to the people of Cairns and Far North Queensland. I have been cognisant of that since before 2012, since before the commitment of the then opposition to the cruise ship terminal and the development and further enhancement of the port of Cairns. I have been cognisant of it most recently when I visited Cairns two or three months ago and spoke to concerned residents, concerned business owners and representatives of various interest groups about what impact this bill will have.

It is true that, previously, the ports bill introduced by the member for Callide as Deputy Premier provided that the port of Cairns would not be a priority port. But it is also the case that at that time there was a live EIS process, supported by the government, that was looking at protecting the economic development of the port of Cairns and ensuring that the people of Queensland and Far North Queensland had some economic hope for the future, that their port would not be completely sterilised from future development, that the port would, through that EIS process supported by the then government, be able to be developed in a way that was mindful of the environmental heritage and the environmental prospects of the Great Barrier Reef whilst also, if you like, trying to take advantage of those prospects by making Cairns a more attractive destination for tourists and, in particular, cruise ships.

Cruise ships already visit the port of Cairns. They already travel the channel, but the reality that we have to face is that cruise ships are getting larger, that they require more room, particularly more swing basin room, and that there is a very strong desire among the people in Cairns to see those cruise ships able to enter through the inlet—not to moor off Yorkeys Knob and not to at this stage engage in mooring off a floating platform and transshipping but coming into the harbour.

Earlier this year, that EIS process was in many respects cruelly cut short when the member for Mulgrave, the Treasurer, announced that the EIS did not have the support of the government. He took \$40 million that had been put in the budget to meet the initial costs of developing the port of Cairns and providing funding to Ports North and signalled very strongly to the community up there that the government did not support the EIS process. We know subsequently that there has been local furore about it, that there has been concern about what has been going on in terms of the government's commitment to the development of the port of Cairns. There is now something that we know euphemistically as a recalibrated process, but we do not know the detail of that recalibrated process. We do not know what is intended. We do not know what the government's intention is. It has not been clear, certainly publicly, what is intended to occur there. There is no clarity about how far the EIS will

go and there is certainly no clarity about how much support the government will be providing in relation to that EIS, no matter what might come of it.

The amendment that has been moved simply defers the passage of this bill until after the outcome of the EIS is known. I acknowledge that the passage of the bill does not stop the EIS process. That has been the clear case—it was the case under the previous legislation introduced by the previous government—but, under the previous government, there was a clear and certain policy process in place. The people of Cairns understood what was being put forward, the people in the broader community knew what was going forward, the people in business circles knew what was going forward and people were able to plan around it. Currently, that level of certainty is not in place.

At the moment, what we seem to have in place is horsetrading. The member for Hinchinbrook has outlined the internal inconsistencies in the government's position. Having said that there will be no capital dredging in any port that is not a priority port, it now proposes to allow up to 50,000 cubic metres in any single project to a cumulative total of 150,000 cubic metres over four years within the inner harbour area of the port of Cairns.

Mr Rickuss: It would be a bit like being half pregnant.

Mr NICHOLLS: I take the interjection from the member for Lockyer. There certainly seems to be no science around it. The minister prides himself on working on an evidence based process. I would think that, by allowing an EIS process—which involves science, evidence and consultation to occur in the broadest possible way—we would have a situation where that would be the underlying rationale behind the amendments that are being proposed. Who knows what it might be?

Because I am concerned about this bill, I have spoken to representatives of the WWF. I want to thank them for their presentations and the information that they have provided, because I think we in this House all have an important, shared goal and that is to preserve the majestic beauty of the Great Barrier Reef. But it is equally important for the people of Cairns and Far North Queensland that they have economic hope for the future, that their port is not sterilised and that they can have a clear pathway for the next period of time.

But the scientific evidence has not been provided to say that this decision made by the government to allow a limited amount of dredging is the right amount. Fifty thousand cubic metres and 150,000 cubic metres sounds like a lot, but when we consider what happens in the port already under maintenance dredging it is not a great deal in toto. But it sounds like a lot. Whether it is the right amount and the impact that it will have are unknown. Should it be over five years that the cumulative amount is totalled? Or should it be over three years that the cumulative amount is totalled? We have no evidence about this. We have no science behind it. What we seem to have is some horsetrading going on—what might be acceptable to parts of the environmental movement, which legitimately has a concern in this; what might be acceptable to the business community of Cairns, who have a legitimate interest in it; what might be acceptable to the council, which has a legitimate interest in it; and, obviously, the government's policy prescription.

When considering this issue—and the member for Hinchinbrook has put this forward very clearly—this is not defeating the bill. This is not objecting to the philosophy behind the bill, because indeed it was a philosophy that started with the LNP. It is a philosophy that started back in 2012 when we were elected with the concern to protect the Great Barrier Reef. Members will recall that the port of Abbot Point had an approval in place that was going to see something in the order of 38 million cubic metres of spoil removed and dumped at sea. In 2011, the 'Battlestar Galactica' of coal ports was being created by the Labor government. That was what Labor in 2011 bequeathed the people of Queensland.

Mr Rickuss: That's 30 million cubic metres—38.

Mr NICHOLLS: Thirty-eight million cubic metres. The other thing that happened is that UNESCO then decided that it was going to take an increased level of interest in the protection of the reef. So the first thing that we had to do was stop that development. Then it became evident, as the member for Hinchinbrook has no doubt highlighted to the House, that more action needed to be taken. So it was the LNP government and the member for Callide, together with the member for Glass House, who put in place a strategy to restrict development to the four priority ports and to limit those works. They then did a year's worth of consultation to come up with legislation and that then led to the introduction, after a further three months of discussions after the strategy, of the ports bill, which was introduced in November 2014 to preserve and protect the environmental values and heritage of the Great Barrier Reef whilst still allowing a review in 2022 of the port of Cairns.

The reasons for deferring the passage of the bill until after the EIS on 31 March, some 4½ months away, are simply to give the people and the business community of Cairns greater certainty about the outcome. They will know what the EIS is, they will have an appreciation of what the government's position is, it will give the government time to come to a settled and reasoned conclusion, they will know

where the money is coming from for whatever might be decided—all or nothing; we do not know what the outcome of the EIS will be—and it will be backed up by scientific and technical evidence, something that we do not know about the current decision in relation to the dredging limits. There is no evidence behind the proposals that have been put forward—at least none that has been made publicly available.

I acknowledge that the minister is in a difficult position. He is in a bit of a cleft stick at the moment. He has to consider the legitimate interests of people who want economic advancement and the legitimate interests of those who want to preserve the reef. This deferral simply allows for the better consideration and better reconciliation of those legitimate interests with science based evidence on board and with a clear policy prescription from the government. It is their right to put that policy in place, whatever it might be, in relation to the EIS around the port of Cairns. But all we have at the moment in relation to the port of Cairns is a government that did not support the previous proposals, that took \$40 million away and that does not yet know what the recalibrated ports strategy is for the port of Cairns but is, without science or evidence, proposing an arbitrary limit of 50,000 cubic metres per incident to a cumulative total of 150,000 cubic metres over four years. I would simply say that waiting for the conclusion of the EIS process on 31 March is a prudent, sensible and cautious way to go to reconcile those different interests.

It may be that Ports North will seek an extension of time to the Coordinator-General's determination of the EIS. That is something that the Coordinator-General, as an independent statutory office holder, will have to make an assessment about in all the circumstances, including, no doubt, government policy and the debate in this House and the evidence that is presented to him about the activities that have been going on. It is not unreasonable. The process can continue on. Ports North has the capacity to do it. They have done the preliminary work on it. They can recalibrate. They just need some guidance from the government about what it is they want to do.

This is a simple and prudent process, an amendment that should be supported, to give the people of Cairns and Far North Queensland some economic hope, to provide some clear guidance as to what the future of the port of Cairns is, to provide some clear guidance about the funding that will be made available to it and that will, in any event, protect the Great Barrier Reef which is something that I think we all value and prize highly and certainly led to the consultation and the introduction of these bills in the first place by the former government.