




Speech By
Aaron Harper

MEMBER FOR THURINGOWA

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**ENVIRONMENTAL PROTECTION (CHAIN OF RESPONSIBILITY) AMENDMENT
BILL**

 **Mr HARPER** (Thuringowa—ALP) (1.43 am): I rise this morning to give my passionate and unwavering support to the Environmental Protection (Chain of Responsibility) Amendment Bill 2016. Whilst my body maintains a pulse and a level of consciousness and I have a presence in this place, I vow to stay the course, stay strong and stand up for this particular piece of legislation. I commend at the outset the minister for his determination to see this through. I also commend the Agriculture and Environment Committee for their work. I will not allow someone like Mr Clive Palmer to walk away from his responsibilities to clean up the mess—as if he has not caused enough of a mess already in Townsville—that is the pending environmental disaster that is, or what is left of, the Queensland nickel plant in Townsville. Importantly, this bill ensures that all corporate owners take responsibility for their environment should they face financial difficulties. It should not be left to the state to pick up the costs of their failings.

I was hoping we would have bipartisan support on this. It is a very rare day when I would be thankful that fellow members around the Townsville district—like the previous speaker, the member for Hinchinbrook, and from early discussion tonight the member for Burdekin—feel as strongly as I do that Mr Clive Palmer should not walk away from his obligation and leave that \$100 million clean-up to us. There is no way we should be increasing the burden of the taxpayers of this state with that cost.

I would like to table in the House the FTI administrators report. It is 124 pages of nightmarish reading. It belongs in the halls of this parliament so as to remind us of the good work we are doing this morning. In nine hours time, the second creditors meeting will occur and, potentially, Queensland Nickel will go into liquidation. If that happens, it will become all the more difficult to try to get someone to clean up their environmental mess. I table the report.

Tabled paper: Document, dated 11 April 2016, titled 'Report by Administrators, Queensland Nickel Pty Ltd (Administrators Appointed) ACN009 842 068' [\[578\]](#).

I want to alert people to some of the stark things within that report. At the time the FTI administrators took over in January 2016, there were in excess of 1,000 critical inspections of plant and equipment, of which 800 were well overdue. The exhaust stack at Yabulu was deemed to be in critical condition and at risk of collapse. Hazardous Industries and Chemicals Branch inspected the site in 2016 and found significant concerns around shortfalls in maintenance of the plant and infrastructure and had 108 recommendations. The environmental management situation was concerning. That is what the report stated. There were a number of noncompliance problems. In 2014 there was discharge of the tailings dam into the marine environment. Following QNI's decision not to execute capital works for the tailings dam lift earlier that year, these works have still not been undertaken. The member for Hinchinbrook and any member in North Queensland knows that a significant amount of rain will certainly put that beautiful area which is so close to the coastline at risk.

Why has all of this happened? We look at the previous owner, BHP Billiton. In their last three years of ownership they spent \$80 million on maintenance. Under the current owner that spending went down by 50 per cent to \$39 million in the last four years of his ownership. That certainly paints a picture. The plant is situated very near the coast, just down the road from the beautiful Saunders Beach area and up from the North Shore, the biggest growth area in Townsville. None of this surrounding area should be put at risk from the demise of this plant. People wonder why I am passionate and why I have stood up in this place and talked about it. I have done many safety inductions in that place. I was stationed at Black River down the road and had many interactions with the plant and its owners at the time. To see it in this state is a disgrace.

I agree with the previous speaker. We have seen the 800 jobs. It is only when you go to those forums that the Queensland government has held and interact with those families and hear their issues of homes being foreclosed—just as I spoke about 10 hours ago—that you really get a true sense of the damage in Townsville caused by the collapse of this company.

These people have hurt enough and now another layer of hurt sits ready to affect the broad area of North Queensland except this layer of hurt can potentially affect people's lives in a very different way. This is the very real and present danger of chemicals and toxic waste that sits in the tailings dams and, if left unchecked, our community, our state, our taxpayers, will face a huge, long-lasting, damaging effect on our environment that can potentially be around for generations.

The Palaszczuk government is dealing head on with the potential problems arising from the QNI fiasco with this bill. It is a national first with other states already expressing interest in the application of the bill. The regime created in this bill is an anti-avoidance regime, that is, parties who can and ought to address their environmental responsibilities will no longer be able to deliberately avoid their obligations by hiding behind elaborate and artificial corporate structures—and I can go as far as to say behind fake email addresses. With regard to the Yabulu nickel refinery, which has recently entered administration, the provisions of the bill may be used to ensure our Great Barrier Reef is protected from toxic discharge and the taxpayer is protected from having to foot the bill. It appears that some corporate operators are as reluctant to undertake rehabilitation as some Hollywood celebrities. Granted we are talking about a different type of rehab, but the concept is the same: healthy land leads to healthy people leads to healthy communities equals less pressure on the public purse.

When things are going well, it is easy to forget about the environmental risks. However, if not properly managed or costed, huge consequences can follow. We only have to look at the sobering recent disaster in 2015 in Brazil to see the extent of the damage that can occur. The collapse of a tailings dam at an iron ore mine site in November last year caused the biggest environmental disaster in Brazilian history. In the villages closest to the dam 82 per cent of the township was destroyed, killing 19 people and leaving more than 1,500 families displaced. Thirty-nine villages were directly affected while another 230 had their water supply and fishing activities severely impacted. Tonnes of fish died in the first month after the disaster. The mud destroyed more than 1½ thousand hectares of vegetation and left a plume of more than 80 square kilometres in the ocean. This is certainly not an isolated event. Fifteen months before that disaster, Canada suffered its biggest tailings dam failure at a copper mine. I could go on—in 2013 the Ranger mine in the Northern Territory, which contained radioactive material, burst and the contents entered the surrounding Kakadu area. It certainly had the traditional owners worried.

The people of Townsville have had enough to worry about without the prospect of the Yabulu tailings dam collapsing and releasing billions of litres of toxic water into the Great Barrier Reef. The taxpayers of Queensland should not have to worry about footing the bill for the environmental works required to make sure that the tailings dam is secure and the site is rehabilitated. The government is doing everything in its power to ensure that the people responsible for the mess are also responsible for the bill. We are putting the interests of the community first. We are putting the interests of ordinary Queenslanders ahead of the interests of big corporate moguls. I commend the bill to the House.