




Speech By
Dr Christian Rowan

MEMBER FOR MOGGILL

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**WATER LEGISLATION AMENDMENT BILL; ENVIRONMENTAL PROTECTION
(UNDERGROUND WATER MANAGEMENT) AND OTHER LEGISLATION
AMENDMENT BILL**

 **Dr ROWAN** (Moggill—LNP) (5.55 pm): I rise to address the Water and Other Legislation Amendment Bill 2015 and the Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016 as a part of the cognate debate. I will first provide commentary on the Water and Other Legislation Amendment Bill 2015. In doing so I have to once again make reference to the legislation introduced and passed under the former LNP government. The Water Reform and Other Legislation Amendment Act 2014 was passed on 26 November 2014 by the former LNP government. Reform of the Water Act was undertaken in 2014 to cut red tape and encourage economic development using our water resources, particularly in regional and North Queensland, as economic leverage. Certainly we know that North Queensland is a rich opportunity to further develop our agricultural industries. I know the member for Hinchinbrook, the member for Burdekin and the member for Whitsunday absolutely understand the importance of North Queensland to our economy and to our economic development into the future.


Whilst these reforms were passed in 2014, unfortunately they were not enacted before the 2015 state election. Upon assuming office the Palaszczuk Labor government then delayed the commencement of the Water Reform and Other Legislation Amendment Act 2014 pending consideration and review of the legislation which has really been in keeping with their modus operandi that all legislation that was passed under the former LNP government be overturned or amended.

Labor's bill proposes that some but not all of the changes included in the Water Reform and Other Legislation Amendment Act 2014 now be reversed. The aims of the Water Reform and Other Legislation Amendment Act 2014 included reforming the Water Act to deliver a more responsible and productive water management framework for the use of Queensland's water resources and to also create a consistent framework for managing the usage of groundwater by resource sector industries. It is important to note that the various provisions of the Water Reform and Other Legislation Amendment Act 2014 were set to commence at separate intervals—in December 2014, February 2015 and September 2015.

The Water Reform and Other Legislation Amendment Bill 2014 created a new framework for the management and allocation of water in Queensland. This legislation was to deliver a significantly more efficient, flexible and responsive water resource planning and water licensing process. The changes that this was to bring about included removing duplicate planning processes. The proposed changes would have significantly reduced the regulatory burden, the cost of routine licence dealings and other operational planning activities for both water uses and the broader water industry. This legislation aimed to remove prescriptive regulations, allowing licence holders to manage water supply schemes flexibly and efficiently. These changes were to streamline legislative provisions to deliver water plans faster

through more efficient processes to establish and/or review relevant plans. The changes under the proposed amendments retain the proposed framework but remove water development options, remove provisions relating to designated watercourses whilst also including the principle of ecologically sustainable development into the new purpose of the Water Act and replacing references to 'responsible and productive management' throughout the bill with 'sustainable management'.

In 2014 the LNP, in introducing a water development option, aimed to provide major resource projects with certainty of access to water early in their project development. Major water infrastructure projects were able to apply for a water development option that provided an up-front commitment over future access to water and exclusivity of access for the project. The major outcome for this change was in providing clear assessment and approval pathways.

 **Dr ROWAN** (Moggill—LNP) (7.50 pm), continuing: The major outcome for this change was in providing clear assessment and approval pathways whilst removing current uncertainty and investment risk for projects. This provided greater certainty and enabled project owners to proactively invest and progress their development.

The Palaszczuk Labor government's Water Legislation Amendment Bill was referred to the Infrastructure, Planning and Natural Resources Committee. This parliamentary committee, in considering the bill, could not come to an agreement. There has been absolutely no recommendation in the committee's report that this bill be passed, particularly with respect to key elements of the bill. This bill as introduced by Labor is more about satisfying the Greens than actually putting science before politics and constructively working on much needed reforms to the Water Act. I certainly endorse the reforms that were put in place by the former LNP government in 2014. I would like to add my congratulations to the former minister, the member for Hinchinbrook, Andrew Cripps MP, for all of the great work he undertook as a part of these reforms in the former LNP government.

I now wish to address the Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016. This legislation proposes amendments to the Environmental Protection Act 1994 to strengthen the effectiveness of the environmental assessment of underground water extraction by resource companies, and their ancillary projects, as well as amendments to chapter 3 of the Water Act 2000 relating to the make-good framework. The amendments to the Environmental Protection Act will, in essence, strengthen the initial assessment of the possible impact of resource and mining projects on underground water resources before an environmental authority is granted.

Whilst this is a strengthened environmental mitigation process of which there could be a resultant benefit, there has unfortunately been an inadequate, and a lack of transparent, outlining by the Labor government of the impacts of these amendments with respect to legislative financial assurance, or bond provision requirements, and potential linkages of these to the Environmental Protection (Chain of Responsibility) Amendment Bill 2016. I was not satisfied by the responses provided at the hearings of the Agriculture and Environment Committee with respect to these matters. It should also be noted that there remains widespread stakeholder concern with respect to the statutory guidelines and Labor's chain of responsibility legislation, despite the principles being sound.

It is important to note at this point that the former LNP government on 28 October 2014 passed the Environmental Protection and Other Legislation Amendment Bill 2014. This then legislation included: increases to the maximum penalties for the most serious offences with respect to the Environmental Protection Act; further recognition of the Great Barrier Reef World Heritage area, as well as environmental authority related amendments to improve the operation of the Environmental Protection Act; and clarification and improvements to the Environmental Protection Act's environmental impact statement, EIS, process. These then amendments commenced on 7 November 2014, followed by other amendments on 30 September 2015, which included: the introduction of enforceable undertakings as an additional compliance and enforcement option, a simplified land framework that requires auditor certification of contaminated land investigation documents and a streamlined process for the payment of fees for amendment applications for environmental authorities.

Now, under Labor's proposed changes, environmental impacts of groundwater extraction for new projects will be addressed as a part of the environmental authority application rather than a separate water licence process. This will result in a single environmental authority covering groundwater and other environmental impacts. Resource companies will be required to detail any proposed excise impact of underground water rights, detail each aquifer affected by the activity and submit an analysis of the predicted quantities of water to be taken, and then specify any impact on the quality of groundwater.

The Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill was referred to the Agriculture and Environment Committee on 13 September 2016 for consideration, with a reporting date back to the parliament by 25 October 2016. Although the committee has recommended that the bill be passed, opposition members of the committee did not support the recommendation that the bill be passed. I take this opportunity to congratulate the deputy chair of the Agriculture and Environment Committee, the member for Gympie, Tony Perrett MP, on the statement of reservation he submitted on behalf of the LNP which clearly identified a number of issues that we were very concerned about in relation to this bill.

The LNP opposition members of the committee noted that the objectives of the bill appear to be well meaning, but they were also very concerned about the practical implications of these amendments and the consequential outcomes in Queensland, particularly with respect to jobs, economic development and current resource sector projects which could be impacted upon because of this legislation. The main concerns stem from the hastened process and the lack of adequate consultation and due diligence with respect to key stakeholders. The absence of a regulatory impact statement has certainly compounded the problem for the committee in discharging its due diligence when considering the bill.

A proper regulatory impact process and statement does provide an opportunity to test the reasons behind the proposed need for change from the current legislative framework, test the shortage of the current arrangements and identify how the proposed changes would improve the current situation and/or the environment. The absence of a regulatory impact statement has heightened the problems faced by the committee in being able to adequately assess and discharge its governance responsibilities.

It is important to note that some communities who rely on planned mining projects for a large proportion of their economic security have not had time to be included within the consultation process due to the very short time frame provided to the committee prior to its required reporting obligations back to the Queensland parliament. In the Oakey area, many jobs are reliant on the Acland mine. In this area, alternative employment opportunities are limited. Stage 2 of this mine is nearing completion and job losses will occur if this legislation is passed without appropriate transitional arrangements for stage 3.

Having been a medical superintendent with right of private practice in Oakey for a number of years, I understand the importance of job security for many of those people who live not only in Oakey but in the surrounding districts. I understand what the loss of their jobs could potentially mean for their own economic security as well as their mental health and wellbeing. We all know that having stable employment and being able to pay your expenses on a weekly basis and discharge all of your obligations is very important for people maintaining their mental health and wellbeing. Having worked in the Oakey community and seeing people from the surrounding district, I know how very important it is to them.

With only four weeks given to report back on this very complex and complicated piece of legislation, this has meant that giving a qualified response to the bill despite its intent is an absolute necessity. Back in 2015, the Water Legislation Amendment Bill was given a consultation period of some 15 weeks. The question that must be asked is that, if further time had been allocated, could proposals about alternative regulatory approaches to achieve the proposed outcomes have been submitted and an even better and more balanced outcome have been achieved for all concerned?

I also wish to address the amendments to Queensland's Heritage Act which are contained within the legislation. The amendments, which include providing for the chief executive of a local government to appoint local government employees as authorised persons and clarification and clear stipulation of the powers and functions of these authorised persons, are really about streamlining governance processes and easing some of the more burdensome operational aspects of the Queensland Heritage Act. As such, neither I nor the LNP object to the amendments proposed with respect to the Queensland Heritage Act.

However, I do not support the bill overall without amendments, particularly and specifically with respect to the provisions in the legislation which I regard as unacceptable. Those provisions relate to the absence of an acceptable transitional arrangements process for New Hope at Acland and the Adani Carmichael project. These projects have already undergone rigorous environmental assessments over a number of years, with the approval process for Acland stage 3 having commenced in 2007. The potential impacts on groundwater from these projects have already been assessed.

The LNP will always achieve a balance. As the shadow minister for the environment, I will always argue and advocate for the delivery of balanced economic development, job creation and the maintenance of strong environmental protections. The Liberal National Party supports our landholders and it will always ensure make-good arrangements are an important protection for landholders here in Queensland. In my view, Labor has failed to undertake a comprehensive review of the current make-good arrangements and I would encourage them to do so.

Rural and regional jobs will be impacted negatively if this legislation is passed without amendments being agreed to. The Liberal National Party is a strong supporter of landholders' rights and the LNP understands the importance of appropriate make-good arrangements. However, the LNP also understands the importance of critical mining projects of state significance to Queensland's economy.

I conclude by endorsing the amendments being moved by the LNP in relation to the legislation and restate that the Labor Palaszczuk government should be aiming to achieve a balance with respect to economic development, current resource projects and environmental protection. Unfortunately, we know that the Palaszczuk Labor government is beholden to unions and third parties, which is creating sovereign risk for our state. I would call on the Palaszczuk Labor government to act in the interests of all Queenslanders and not continue with its unbalanced ideological agenda and accede to vested interest groups.

Intelligent people in Queensland, Australia and around the world are beginning to see through some of the hollow rhetoric of the modern Socialist Left. Blue collar workers will continue to abandon the Labor Party in the months and years ahead if there is not balance achieved in relation to some of our mining and resource projects.

Mr Rickuss: They don't represent blue-collar workers anymore.

Dr ROWAN: I take the interjection.

Mr POWER: I rise to a point of order. I believe the standing orders ask us to be in our chairs if we make interjections. Madam Deputy Speaker, I ask that you deal with the member for Lockyer.

Mr Rickuss interjected.

Madam DEPUTY SPEAKER (Ms Farmer): Order! Member for Lockyer!

Dr ROWAN: I take the interjection from the member for Lockyer. They will continue to abandon the Labor Party if they do not continue to support blue-collar workers. If people support—

Ms BOYD: I rise to a point of order. The member for Moggill is taking an interjection from the member of Lockyer when the member for Lockyer was not, in fact, in his chair. I ask that you—

Madam DEPUTY SPEAKER: I have dealt with that, thank you. Enough of this frivolity. We will just allow the member for Moggill to complete his speech.

Dr ROWAN: If people support sustainable border control policies, the Labor Party brands them a bigot or a racist.

Honourable members interjected.

Madam DEPUTY SPEAKER: Could everyone please just settle down. It has all been a bit of fun, but now we just want to hear the member for Moggill. If you need to have a conversation or to discuss it further you can take it outside the chamber.

Dr ROWAN: If people support family friendly policies, including supporting mothers raising their children at home, Labor brands them sexist or a misogynist. If people support our agriculture industry or our mining and resources sector, the modern socialists of the Labor Party dominated by corrupted unions actually brand them an environmental vandal. Queenslanders and Australians are sick and tired of the Socialist Left holding them to economic ransom by extremist third parties and their associated biased social media trolls and journalists within left-wing media outlets continuing to jeopardise our economic security here in Queensland.

Queenslanders expect economic and environmental balance in public policy, particularly as it relates to transitional provisions with respect to resource projects that have already undergone extensive evaluation and assessment processes. The Palaszczuk Labor government needs to consider the amendments that are being moved by the LNP in the interests of achieving a balance here in Queensland in relation to our resource and mining projects, landholders and also for our economic security.