




Speech By
Cynthia Lui

MEMBER FOR COOK

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ENVIRONMENTAL PROTECTION AND OTHER LEGISLATION AMENDMENT BILL

BIODISCOVERY AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LUI** (Cook—ALP) (12.54 pm): I rise to speak in support of the Biodiscovery and Other Legislation Amendment Bill 2019 and the Environmental Protection and Other Legislation Amendment Bill 2020. I will speak firstly on the Biodiscovery and Other Legislation Amendment Bill 2019. Before I do, I want to acknowledge the committee chair, the member for Stretton. It is good to see you back in your element today. I also want to acknowledge the member for Jordan, the member for Scenic Rim, the member for Noosa, the member for Theodore, the committee secretary and the minister for all of their hard work on this bill.

The primary objective of the bill is to amend the Biodiscovery Act 2004 to ensure that it is contemporary, effective and equitable, by reflecting international standards which include providing an obligation for the use of traditional knowledge. This will help Queensland's biodiscovery industry to remain globally competitive and ensure that the benefits of biodiscovery are shared equitably throughout Queensland, including with First Nation peoples.

The Biodiscovery Act currently does not recognise the traditional knowledge held by Queensland's First Nation peoples. Without the regulatory protection that these amendments will provide, the risk of the unauthorised use of traditional knowledge remains and barriers to First Nation peoples and communities realising economic opportunities in the biodiscovery industry continue. Without these amendments, biodiscovery entities might continue to use traditional knowledge without the express consent of the custodians of that knowledge.

This bill introduces a traditional knowledge obligation—a requirement that users of traditional knowledge in biodiscovery take all reasonable steps to only use traditional knowledge with the agreement of the custodians of that knowledge. This amendment will in turn provide a new avenue for First Nation peoples to manage and benefit from the use of their knowledge. The traditional knowledge obligation provides First Nation peoples with more opportunity to reconnect to country and culture and to realise economic benefits through the creation of new jobs and the development of new skills.

The government will continue this engagement to develop the code of practice and guidelines. This is necessary to ensure that community protocols are respected.

While I am on my feet, I would also like to pledge my support for the Environmental Protection and Other Legislation Amendment Bill 2020. The Environmental Protection and Other Legislation Amendment Bill 2020 will improve rehabilitation and financial assurance outcomes in the resources sector by amending the Environmental Protection Act 1994 and the Mineral Resources (Financial Provisioning) Act 2018 to establish the statutory position of Rehabilitation Commissioner and support the delivery of residual risk reforms. The commissioner's role will enhance the quality, consistency and confidence in rehabilitation outcomes through advice on best practice rehabilitation in Queensland.

The Rehabilitation Commissioner will be established under the Environmental Protection Act. The commissioner will be supported by an office and have new functions separate from the regulatory functions of the Department of Environment and Science. The commissioner will work collaboratively with the Department of Environment and Science, the community and industry. The commissioner will provide advice on best practice rehabilitation and management practices and outcomes.

The Queensland government has been implementing a suite of reforms to achieve better results for the rehabilitation of land disturbed by mining activities. Central to determining that land has been adequately managed or rehabilitated is understanding what constitutes best practice. I acknowledge that the proposal for the establishment of the Rehabilitation Commissioner was discussed with key stakeholders, including Lock the Gate Alliance, the Environmental Defenders Office, WWF Australia, the Queensland Resources Council, BHP and Glencore. Broad public consultation on a draft bill has not been undertaken because of difficulties in the COVID environment. As members know, we are going through some very challenging times. It is essential that we all abide by COVID regulations.

These legislative reforms are critical for the future of environmental protection and addressing equity issues to create economic opportunities for First Nation peoples. In closing, I support both bills before the House.