




Speech By
Ann Leahy

MEMBER FOR WARREGO

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ENVIRONMENTAL PROTECTION AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LEAHY** (Warrego—LNP) (6.49 pm): I rise to contribute to the debate on the Environmental Protection and Other Legislation Amendment Bill. At the outset I want to remind Labor members opposite that it was the Beattie and Bligh Labor governments which allowed the trial of the underground coal gasification at the Linc Energy site near Chinchilla. This Labor government should try to not walk away from this fact. It was the LNP when in government in April 2014 which laid charges against Linc Energy for causing serious environmental harm. I say to those opposite when talking about Linc Energy to just remember which side of politics sought that questionable technology at the Linc site, at Cougar Energy near Kingaroy and at Carbon Energy near Chinchilla. We did not hear the cries about the environment from Labor back then.

The bill aims to improve administrative efficiency and ensure the regulatory frameworks within the environment portfolio remain contemporary, effective and responsive. Specifically, the bill amends: the Environmental Protection Act to support industry, streamline and clarify regulatory processes, better protect the environment and improve community input and transparency; the Waste Reduction and Recycling Act to make minor and technical refinements related to administrative processes and interpretation; and the Wet Tropics World Heritage Protection and Management Act and the Land Title Act in response to a review of the Wet Tropics Management Plan 1998.

I would like to thank the committee for their consideration of the bill. I would also like to thank all of the stakeholders who were consulted and made submissions to the content of the bill. Stakeholders have described the consultation process to me as bizarre and unprecedented. The first exposure draft was only given to stakeholders who signed a very tight confidentiality deed, meaning peak bodies could not share its contents even with their members, which was coupled with a very tight turnaround for responses just before Easter. I have heard from stakeholders who have expressed concern about the short time frame in which they were asked to comment on 125 pages of amendments. Further, they said the format of how the bill was presented to stakeholders made it difficult to determine the extent and impact of the amendments.

It is disappointing that the government comes into this House and is critical of members and media who spoke out about the contents which were kept secret during the consultation. Given that the minister has removed the following provisions—such as the proposal to require environmental investigation every 10 years and the proposal that the Director-General could change the conditions on every environmental authority every 10 years without notice—I would say that those stakeholders with those concerns have had a victory because the minister has backed down. However, her mismanagement has created a lot of distrust.

Good governments work openly and transparently and respect the people they represent. The management of this bill through the consultation process has shown this is a third-term government which are clearly out of touch. The government only gave the second exposure draft after hard lobbying

from stakeholders. This experience has clearly impacted stakeholders and their trust in the Labor government. Many commented on the process and the quick consultation period once the bill was tabled. Here are some of their comments. The Australian Prawn Farmers Association said—

Given the extremely short period of time for industry to digest this information and understand its practical implications, and the amount of detailed commentary on the amendments, there is some real confusion about the nature and extent of some of the changes that are proposed and how they will operate in practice.

The Prawn Farmers Association also said—

The APFA is a significant stakeholder in this Bill on behalf of our Queensland members and the adhoc and restrictive nature of consultation taken with the Exposure Draft (which is different to the Bill tabled) by the Department and now the time between the introduction of the Bill on the 12th October 2022 and the closing date for submissions on the 26th October 2022 also being extremely short, the timing does not allow a measured and considered response developed through consultation with our members.

The Waste Recycling Industry Association Queensland said—

Unfortunately, the short consultation period on such a complex but important piece of proposed legislation has reduced our ability to provide detailed responses or levels of evidence to support those responses; nor have we been able to facilitate detailed feedback from our members.

The Queensland Resources Council said—

It is critical for industry confidence in an open, transparent, consultative government that such arrangements do not become the standard modus operandi for government processes. As a minimum there should be a reasoned explanation of why such a process is occurring, beyond simply stating that it is an exposure bill and thus not finalised government policy. For example, what content is particularly sensitive and why? If the changes are considered so minor that they did not justify a RIS, what is the rationale for the stringent confidentiality requirements?

The Environment Institute of Australia and New Zealand said—

The following feedback is provided on a number of proposed amendments to the Environmental Protection Act 1994 noting again that in the limited time available more constructive consideration of all provisions has not been possible.

It was abundantly clear from many submissions that there was damage done in relationships with stakeholders. On the bill before us, most of the amendments are a result of the back-peddalling the government needed to do.

A number of concerns were raised by stakeholders. One of the most concerning changes is that the mandatory notification of environmental authorities which are to be amended makes it very difficult for resource security in the resources industry. The omission of the ministerial review of decisions made by the department was also an issue for some stakeholders. While we understand this had not been used before, there is concern given the power to refuse an environmental impact statement early.

In the end, this bill is mostly administrative and should not have caused the level of angst and anxiety it did for stakeholders. Had the minister managed this better, there would not have been the fallout we have seen around this legislation. Queenslanders deserve better.