




Speech By
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**ENVIRONMENTAL PROTECTION (POWERS AND PENALTIES) AND OTHER
LEGISLATION AMENDMENT BILL**

 **Dr ROWAN** (Moggill—LNP) (12.04 pm): I rise to contribute to the debate on the Environmental Protection (Powers and Penalties) and Other Legislation Amendment Bill 2024. On 13 February 2024 the Minister for the Environment and the Great Barrier Reef and Minister for Science and Innovation introduced this legislation into the Queensland parliament, where it was subsequently referred to the Health, Environment and Agriculture Committee for further examination. This legislation aims to enhance the powers and penalties within the Environmental Protection Act 1994 following recommendations from the 2022 *Independent review of the Environmental Protection Act 1994 (Qld) report* conducted by retired judge Richard Jones and barrister Susan Hedge.

As previously highlighted, the primary objective of this legislation is to address environmental challenges and strengthen the framework for protecting Queensland's natural resources. As outlined, these objectives will be achieved through several key amendments to the Environmental Protection Act, starting with the incorporation of fundamental environmental policy principles. These principles include: firstly, that the polluter pays; secondly, the principle of proportionality; thirdly, the principle of primacy of prevention; and, finally, the precautionary principle. By embedding these principles prominently in the administration of the Environmental Protection Act, the legislation seeks to guide the creation of regulations, environmental protection policies, guidelines and codes of practice towards a more sustainable and preventative approach to environmental management.

I note that a significant change proposed by this legislation is the specification that a failure to comply with the general environmental duty constitutes an offence when such failure is likely to cause serious or material environmental harm. Additionally, this legislation replaces the phrase 'reasonable and practicable' with 'reasonably practicable' throughout the Environmental Protection Act. This alteration is intended to aid interpretation and align the Environmental Protection Act with other Queensland legislation. Importantly, this legislation also seeks to address environmental nuisance by clarifying that certain nuisances such as the release of aerosols, fumes, light, noise, odour, particles or smoke can still constitute serious or material environmental harm despite having prescribed characteristics. This aims to ensure that all forms of environmental interference are regulated to prevent significant harm.

On that note, it must be remembered why this specific legislation has largely been brought into the Queensland parliament. We are debating significant aspects of this legislation because of the failures of the Labor state government which have impacted tens of thousands of Ipswich and western suburbs residents. For years residents all across the Ipswich region and even beyond, including from my electorate of Moggill, have experienced unacceptable odour issues due to substandard waste management practices that have been poorly regulated and poorly investigated by the Labor state government. I wish to add my support to the contribution made by the LNP's shadow minister for the

environment, the member for Bonney, and also acknowledge the tireless efforts of Ipswich residents and their associated campaign to force meaningful action by this Labor state government, which for too long has taken local residents for granted.

In turning to other aspects of this legislation, I note that this bill clarifies that an environmental enforcement order can be issued to the holder of an environmental authority regardless of whether the authority authorises the activity causing harm. Another important amendment is the introduction of a standalone duty to restore the environment. This duty mandates that if a person causes contamination resulting in environmental harm then they must restore the environment to its pre-harm condition as far as reasonably practicable.

I also want to briefly acknowledge particular aspects of this legislation and its associated drafting by the Labor government which were raised throughout the committee process. As we have seen far too frequently with other legislation that has been introduced and debated in the Queensland parliament, the feedback received from stakeholders highlighted a deeply held mistrust of the current Labor state government. Important concerns were raised by stakeholders about potential regulatory overreach, which is not surprising given the history of strained interactions between this Labor state government with industry and landholders. Furthermore, the LNP opposition has also received significant feedback highlighting the frustrations of key stakeholders regarding the consistent lack of consultation, punitive treatment and reluctance by Labor to explore new approaches. Understandably, this has only fostered a climate of fear and negative relations.

In concluding my contribution I say that, ultimately, those who damage our environment must be held accountable to ensure the preservation of our natural resources for future generations. While it is essential for the department to address genuine environmental harm, it is equally important to treat industry and landholders as partners and experts. Certainly, they can be part of the solution.

Finally, when it comes to environmental protection in Queensland we all have an important part to play, whether at a governmental level, through the department itself or even as part of not-for-profit and/or community organisations. In that spirit, I wish to briefly acknowledge and also congratulate the Moggill Creek Catchment Group, which was recently awarded the 2024 Brookfield Show Society-State Member for Moggill Community Shield in recognition of its outstanding local environmental and conservation work as well as its ongoing important education initiatives, including its terrific annual Kids Day at the Cottage, which was held last weekend. I was delighted to present the community shield at the Brookfield Show following the official opening by the Leader of the Opposition, David Crisafulli MP, on Saturday, 18 May 2024. It is local, community-driven organisations such as our Moggill Creek Catchment Group and their terrific volunteers, including people such as Sandy Pollock, Dale Borgelt, Jim Pope and Anna Williamson, to name just a few, who are at the heart of local environmental protection. It was an honour to formally recognise their contribution.

I take this opportunity to also acknowledge the Kholo Creek Catchment Group, which held a special World Environment Day threatened species event at Platypus Park last weekend. I took the opportunity to meet with and acknowledge the founder, Mr Paul Grimshaw OAM, who was recently awarded an Order of Australia medal in recognition of his service to conservation and the environment, including during over 34 years with Queensland national parks.

I wish to thank all stakeholders who contributed to the Health, Environment and Agriculture Committee's examination of this legislation. I acknowledge all members of the committee, including the member for Southport as well as the acting deputy chair, the member for Bonney, and the member for Gympie, both of whom graciously stepped up to assist during the absence of the member for Southport. I know that I join with all elected representatives in gladly welcoming the return of the member for Southport to the Queensland parliament.