



Speech by


**Jann Stuckey**

**MEMBER FOR CURRUMBIN**

Hansard Thursday, 10 March 2011

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## **ENVIRONMENTAL PROTECTION AND OTHER ACTS AMENDMENT BILL**

 **Mrs STUCKEY** (Currumbin—LNP) (6.00 pm): I rise to speak in this debate on the Environmental Protection and Other Acts Amendment Bill 2009, which was introduced into the House on 12 November of that year by the minister for climate change and sustainability. As members are aware, this legislation has been sitting on the *Notice Paper* for over a year—some 16 months—while other legislation has been rushed through in a blink of an eye. I think I have amended this speech some five or six times during that period. It speaks volumes, though, about the Bligh government's commitment to environmental protection when it leaves this bill on the backburner for so long. Only one other bill on the *Notice Paper* has sat there longer—the Charter of Budget Honesty Bill, which was introduced in April 2009—and that one will not ever see the light of day as it languishes on the list.

The member for Sandgate's contribution epitomised not only the lack of talent on the government side but also their total disrespect for parliament's time in using a debate on an environment issue—which is important—to slander the LNP, and the member for Morayfield did not offer much more. The primary objective of this bill is to include conditioning powers to place beyond doubt that environmental offset conditions may be imposed on development approvals, environmental authorities and other approvals for development. The provisions contained within this legislation do not change any current practices in relation to the government's environmental offset policy. However, we are told that it is intended to create certainty and prevent any legal challenges to imposing offsets.

To achieve this objective the bill seeks to amend the Environmental Protection Act 1994, the Fisheries Act 1994, the Nature Conservation Act 1992 and the Sustainable Planning Act 2009 to insert a conditioning power in each of those acts for environmental offsets. These are administered through the Queensland Government Environmental Offsets Policy. As members of the House have heard from the shadow minister, the honourable member for Bundaberg, the LNP has reservations about aspects of this bill—and I say 'aspects' of this bill—particularly with regard to transparency and accountability surrounding the establishment and management of Ecofund. According to the explanatory notes, environmental offsets are required as a condition of approval where there is a specific-issue offsets policy under the QGEOP. Current specific-issue offsets policies relate to vegetation management, marine fish habitat and koala habitat. The exceptions to this rule are offsets required by the Coordinator-General under the State Development and Public Works Organisation Act 1971 and the interim arrangements in place until a biodiversity specific-issue offsets policy is developed.

Types of offsets under the Queensland Government Environmental Offsets Policy include dedication as a protected area; entering into an offsets agreement; providing a financial contribution to an environmental offsets trust, being the Balance the Earth Trust; and providing a guarantee and/or financial assurance. A guarantee from a developer that they will at some point in the future offset the negative environmental impact of their development appears as a distinct weakness with this policy. It would be worth knowing how many developers have chosen this option since the program's inception in July 2008 and the number that have come through on their promise. Perhaps the minister would be kind enough to

inform the House of this figure. Offset programs should be to the benefit of the environment, not to the government. I repeat: offset programs should be to the benefit of the environment and not to the government. It is a major concern of the LNP that this Bligh government is using the offsets program as a replacement for government environment spending.

Offsets for koalas and koala habitats are of particular importance to my electorate of Currumbin, which, despite this government's ignorance, has a significant, albeit decreasing, koala population. Where an unavoidable need for development arises that will impact on a koala habitat area, a net benefit, we are told, can be achieved through an offset. Examples include planting in areas of cleared habitat or securing vegetation from future development elsewhere. So why is it that the areas in my electorate have been omitted? I am told that habitat protection and restoration is preferred. However, projects to reduce the mortality rate of koalas due to vehicles can also be considered in an offset package. It is this case that I would like to prosecute further.

The proposed amendments to the Sustainable Planning Act will allow for environmental offset conditions to be on-site or off-site from the site of the development approval. Giving developers the option to offset on-site or off-site could result in an offset having no relevant connection to the destruction of habitat that an approved development will cause. Protecting current wildlife populations and ensuring their healthy survival should be the aim of all environmental policy presented to this House. Action needs to be taken now to halt the decline in the rapidly shrinking koala population. The government's proposed offsets threaten to undermine the efforts of many in Queensland who are dedicated to protecting koala habitats.

Over the past two years the Bligh government has announced millions of dollars supposedly to try to protect Queensland's koala population: \$15 million for acquiring new koala habitat, \$4 million for suitable landowners to rehabilitate their land for use as a nature refuge for koalas, a \$1 million habitat mapping project, a \$400,000 tender for research into diseases affecting the koala population and \$343,000 and \$440,000 respectively for the Daisy Hill Koala Centre and the Moggill Koala Hospital. That is over \$21 million, but I might add that there is not a brass razoo for Currumbin Wildlife Sanctuary's highly utilised wildlife hospital. Despite these allocations, the alarming fact is that the government's capital spending on the environment has decreased from \$55.7 million—

**Ms JONES:** I rise to a point of order. I would really like to ask that the honourable member come back to the bill. Nothing that she is talking about now has any relevance to the bill before the House.

**Mr DEPUTY SPEAKER** (Mr Ryan): Order! Thank you, Minister. I am listening to the member for Currumbin. I am giving you a long bow. I just remind you of the particular purposes of the bill and I ask you to come back to the bill.

**Mrs STUCKEY:** Thank you, Mr Deputy Speaker. I am very keen to speak further about koala habitats, which are a very clear part of the offsets of this bill, and the funding that is required to purchase them. The former shadow minister for climate change and sustainability highlighted that a \$400,000 grant to fund disease research was really money that had already been re-allocated. So if we are going to protect koala habitats and have offsets, we need to be considering disease—

**Ms JONES:** I rise to a point of order. That is not true. The member is misleading the House.

**Mr DEPUTY SPEAKER:** Order! There is no point of order. Minister, if the member, in your mind, is misleading the House there is a process under the standing orders.

**Mrs STUCKEY:** There is a very good argument for a lot more koala habitats and I am pleased to see that that is one of the key policies mentioned in this bill. It is a real shame that the minister does not seem to value the fact that in Queensland the koala population has decreased by 64 per cent. I believe that is a very worrying and concerning figure. Numerous experts, including the respected CEO of the Australian Koala Foundation, Deborah Tabart—who I am sure is going to enjoy reading my speech—has said that this government does not do and is not doing enough to keep koalas from extinction in our state.

**Government members** interjected.

**Mrs STUCKEY:** Isn't that something this very bill purports to be doing—protecting koala habitats? You would not think so from the noise in this chamber from members. As for the government's latest attempt at restoring its flaky environmental status, the \$1 million koala habitat mapping has been criticised by local councils all over South-East Queensland for its inaccuracy. Conflict between development areas as specified in the SEQ Regional Plan and the same allocation as zero development koala conservation areas has resulted in local councils crying foul at this government's poorly planned policies. The state's mapping—this minister's mapping—has ignored areas in Currumbin Waters and Elanora in my electorate and does not acknowledge the Gold Coast City Council's koala relocation program at Coomera. Local governments across Queensland are working hard to protect our koala populations and habitat. What good is the state government's effort if the local governments' more prescriptive and detailed mapping will not be used to its full potential?

**Ms Jones:** They can use it. They can use their mapping, Jann, you know that.

**Mrs STUCKEY:** When considering development applications and other planning schemes which fall under local governments, will the state government's flawed mapping take precedence over the detailed and carefully crafted efforts of local government?

**Ms Jones:** No. No.

**Mrs STUCKEY:** I ask the minister to respond civilly when she has her turn.

**Ms Jones** interjected.

**Mr DEPUTY SPEAKER** (Mr Ryan): Order! I will wait for the House to come to order. Member for Currumbin, I think you are making your point there and you are getting pretty close to being off the bill. I refer you to the particular purposes of the bill and ask you to come back to the bill.

**Mrs STUCKEY:** Thank you, Mr Deputy Speaker. I would like to thank the staff and volunteers at the Currumbin Sanctuary Wildlife Hospital. If it was not for them the vital service that the hospital provides to wildlife throughout our local community could not be maintained. As the House does not wish to hear at all about how many injured koalas there were or how this population is decreasing, I would simply implore the minister to prove that she values our koalas and maybe assist the Currumbin Wildlife Sanctuary.

In relation to the additional environmental concerns more broadly in this bill as they relate to the legislation, I would be hoping very much that the government has considered the report by the not-for-profit organisation SEQ Catchments released on 28 March 2010, *Managing what matters—The cost of environmental decline in South East Queensland*. The study addressed the need for the government to effectively manage the pressures that the expected population growth in South-East Queensland will have on the environment and our natural resources. The social cost, which I am sure the minister is aware of, is about to reach \$5.2 billion over the next 20 years if we have a do-nothing approach and we do not protect our natural resources. This is not to mention the economic downfall for primary industries and the tourism sector that will come as a direct result of environmental neglect.

The Labor government has a duty to protect the natural environment of Queensland from the adverse effects of impending population growth and urban expansion. The *Managing what matters* report highlights a number of areas that must be addressed at a policy level, including recognising community views, improving government planning and prioritising funding to deliver on the South East Queensland Natural Resource Management Plan targets. Unfortunately for our state, acting on these recommendations will require responsible governance and that is a concept foreign to the Bligh Labor government.