

30 January 2023

To: The Hon Scott Stewart MP
Minister for Resources
MP for Townsville
445 Flinders St
Townsville Qld 4810

Sent by email: Townsville@parliament.qld.gov.au

Re: Queensland's Independent Environmental Protection Agency

Dear Mr Stewart MP,

North Queensland Conservation Council (NQCC) is a peak organisation in the state-wide environmental movement and the voice for the environment in North Queensland. It represents the area roughly bounded by Bowen, Cardwell, the Coral Sea and the Northern Territory border, advocating on regional conservation issues. We represent approximately 1500 supporters, who are passionate about the ongoing protection of North Queensland's natural environment.

NQCC warmly welcomes the Queensland Government's ongoing commitment to investigating the establishment of an independent, effective Environmental Protection Agency (EPA) for Queensland.

An effective and well-resourced independent EPA would benefit all Queenslanders, with greater integrity in environmental regulation and environmental justice. With Queensland's outstanding environmental values in alarming decline and our precious native wildlife and ecosystems under extreme pressure, good environmental governance and frameworks are imperative for our environment and for the wellbeing of future generations.

Why should the Queensland Government establish an independent EPA?

Queensland is the only state in Australia without an independent EPA. All other states in Australia have an independent EPA as the primary environmental regulator responsible for protecting people and the environment from significant health risks, sponsoring and conducting research, and developing and enforcing environmental regulation.

Currently, Queensland's Department of Environment and Science (DES) has multiple roles. It serves as an Advice Agency, and is responsible for assessing, conditioning, regulating, monitoring and enforcing compliance with environmental legislation in Queensland.

Despite some improvements, our environmental laws are currently not adequately enforced, and responses to legitimate community complaints are often unsatisfactory. Investigation of alleged breaches of Environmental Authorities is inconsistent, with some penalties disproportionate to the extent of environmental harm and non-compliance. DES appears to be inappropriately focussed on supporting industry, rather than acting as a regulator for the environment on behalf of the community.

Prior to the 2020 Queensland State Election, then Minister for the Environment, The Honourable Leeanne Enoch, promised that a re-elected Labor Government would consult and investigate the establishment of an independent EPA in Queensland. A Discussion Paper was subsequently released in May 2022.

While the release of the Discussion Paper was widely anticipated, it was disappointing, as it did not address many of the serious, real, and cumulative issues inherent in environmental regulation and governance in Queensland. This opportunity should be used to make necessary and overdue changes to address the fundamental and pervasive issues currently affecting integrity, accountability, efficacy and positive environmental outcomes in Queensland.

Key asks for an independent EPA

It is important that resources are not unnecessarily expended on simply 'rebranding' DES or introducing unnecessary governance that does not improve environmental outcomes for Queensland.

The following three changes must be implemented in the design of an independent EPA for Queensland:

1. The EPA must be an empowered, sufficiently resourced, science-led environmental regulator, independent of ministerial and industry influence, and not overridden by other agencies.
2. There must be consistent, transparent decision-making across all government agencies and Ministerial portfolios to meet critical environmental targets, such as climate and biodiversity targets, with the EPA empowered and obliged to enforce the achievement of these targets.
3. First Nations justice must be a central focus of environmental governance within the EPA, with First Nations and their interests meaningfully and respectfully represented in decision-making, given the role of environmental decisions in destructive colonisation.

Why is an effective EPA important for Townsville and North Queensland?

Announcements made in your capacity as Resources Minister make it clear that North Queensland is set to become a major supplier of new economy minerals, supporting the national and global transition to clean energy and battery storage. It is undoubtedly an exciting time for our region's communities. This new industry offers great potential for good regional jobs while supporting global efforts to decarbonise by providing resources that can be extracted and processed ethically and with net positive benefits to the environment.

We know that environmentally sustainable mining is possible. However, past failures by various mining bodies to adequately protect the environment, and the lack of accountability or adequate penalties for non-compliance, mean that mining has a bad reputation for environmental pollution in Queensland.

If North Queensland wants to be respected worldwide as an environmentally sustainable supplier of new economy minerals, then changes are needed in Queensland's environmental regulator. Queenslanders deserve assurance that the companies who extract these minerals will be held accountable for their responsibility to care for the environment, free of industry or political influence. **An effective, well resourced, independent Queensland EPA is required to adequately protect our environment from harm as this new industry emerges.**

We hope that you will support this.

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North Queensland Conservation Council

... the voice for the environment in North Queensland

We are, as always, keen to meet with you to discuss how we can best work together to protect our climate and North Queensland's natural environment.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'C Falknau', is written over a light blue rectangular background.

Crystal Falknau
Coordinator
North Queensland Conservation Council