



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

PROOF

BILLS

**Environment Protection and
Biodiversity Conservation Amendment
(Reconsiderations) Bill 2025**

Second Reading

SPEECH

Tuesday, 25 March 2025

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

Date	Tuesday, 25 March 2025	Source	House
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Questioner		Responder	
Speaker	O'Brien, Ted MP	Question No.	

Mr TED O'BRIEN (Fairfax) (16:40): I move:

That all words after "That" be omitted with a view to substituting the following words:

"whilst not declining to give the bill a second reading, the House notes that:

- (1) on the eve of a federal election, the Albanese Government has been forced to work around their own Environment Minister in an attempt to fix a political mess of their own making;
- (2) the Government remains bitterly divided on the future of salmon farming at Macquarie Harbour and has unleashed 15 months of anxiety and uncertainty on thousands of workers, families and communities who rely on the salmon industry, including voting against a Coalition bill to improve the reconsideration process in the most recent sitting week of Parliament;
- (3) this legislation is not needed to provide lasting certainty to the Tasmanian salmon industry, and instead the Government should simply have ended the Minister for the Environment's disastrous 2023 review of salmon farming's future at Macquarie Harbour;
- (4) the Government, and particularly the Environment Minister, must guarantee to not instigate other forms of legislation or regulations that will impose new controls or reviews on the salmon industry, including through the return of their Nature Positive legislation, Federal EPA or use of other forms of the EPBC Act, such as directed environmental audits; and
- (5) the changes to the reconsiderations regime in the Bill should be substantially strengthened to ensure that all assessments of all projects, across all industries, do not remain subject to the open-ended review processes that currently exist".

The coalition will support this bill. We do so in recognition of the urgent need to put an end to the living hell that salmon businesses and workers in Tasmania have endured under this Albanese government and, in particular, through the actions of its environment minister. We have made the decision to support the bill's passage because it provides at least some small measure of comfort and relief to the Tasmanian salmon industry and its workers after a truly harrowing period. However, no-one should be fooled into thinking that this bill is to the Labor Party what its drafting may suggest.

By way of this bill, Tasmanian salmon businesses and workers are being used as a bargaining chip in Labor's intensifying internal war on environmental issues. To Labor, this legislation isn't principally about Tasmanian salmon workers and their families; it is about factional games, internal warfare and political fixes inside Labor itself. It's a reflection of a longstanding and intensifying feud not just between Prime Minister and environment minister but between many in the ranks of the Labor caucus on environmental policy.

We have recently learnt about a heated debate within caucus itself where the Prime Minister has seemingly traded off. On one hand, he has won his desire to end the minister's review on the future of salmon farming in Tasmania, but on the other he has agreed to the minister again pursuing the creation of a federal environment protection authority and, of course, the disastrous nature-positive agenda. This approach, if implemented, will cause another massive rise in green tape, severely damage investment in jobs and cause many further cost-of-living increases in the process.

So it may look at first blush as though the Prime Minister has to find a way around the minister in order to close off this review, and there is indeed truth to that; there really is. But it is far deeper than even that. This is all about something far darker, and it is yet another marker of the dark arts of the Albanese Labor government playing politics for internal political processes, because a dirty deal has clearly been done.

Putting the miserable internal machinations of the Labor government to one side, the very fact that salmon companies and workers in Tasmania need relief is a direct consequence of the minister's reckless decision to launch a full-throttle attack on this industry in the first place. For nearly 15 months, the government has left the industry exposed to a review that has placed their entire future in jeopardy, and it should be noted that it has resisted all sensible offers and advice from the coalition to set this right. As recently as the very last sitting week of this parliament—on 12 February, in fact—the Labor government voted against this very kind of legislation, when it was the coalition which brought it forward through a bill to help the salmon industry and change the EPBC reconsideration process. Any pretence from Labor that they really want to help the salmon industry and the workers in Tasmania is a sick joke, because history exposes the truth.

It is for these reasons and more that I moved an amendment at the front end of this address. The purpose of that amendment is to try and redress some of Labor's many errors and missteps in association with the bill they put forward today and to try to provide more certainty to communities across Tasmania, particularly the West Coast, north-west, east coast and beyond. Of course, those errors and missteps trace all the way back to 2023, when the environment minister acquiesced to the wishes of three activist groups—the Bob Brown Foundation, the Australia Institute and the Albanese government funded Environmental Defenders Office—to place the entire existence of the industry, its workers and regional communities under severe threat. Outrageously, the minister has kept this review running right up until now and had no plans to end it even before the election. In the process, she created for Tasmanian workers, especially in the state's West Coast, what the local mayor Shane Pitt has described as 'cruel' and a 'living hell'. Clearly a lot of MPs in Labor would have liked the review to continue, but at least it does appear that this bill finally puts a halt to it.

Let me echo the point made by Salmon Tasmania CEO Luke Martin on 21 March that this legislation is not by any means a complete fix. The legislation is also a long way from perfect with respect to the reconsideration regime in the EPBCA. It still needs several changes before it fully and adequately addresses the relevant matters, and we are, therefore, putting forward a series of amendments. If passed, the amendments we're putting forward will improve the reconsideration rules in the act to provide more certainty for everyone and will certainly reduce the ad hoc green lawfare that now proliferates against EPBCA decisions that have been settled—some, many years ago.

Ours include a pious amendment that gives expression to some of the most immediate problems that would loom on the horizon for the industry and its workers, especially if the Labor Party were to win the next election and particularly if it were ultimately to form a minority government with the Greens. Each of our amendments is being moved not just in an attempt to better insulate the salmon industry from further outlandish reconsideration requests but also in recognition of the increasing vulnerability of all industries, companies and jobs that either have been implicated to date or are at risk of being targeted further in the future. Believe it or not, there are still some companies that have been waiting for the minister to finalise reconsideration processes for nearly the entirety of this term of government and, therefore, of her term as the relevant minister.

Now, if, by way of this legislation, the Albanese government, albeit after being dragged kicking and screaming, has admitted that it has made mistakes, then you would think it should at least commit to serious reforms and not be half-hearted about it, as they are being, as evidenced through this bill. Being so half-hearted only has the implication of introducing further uncertainty about the rules for this industry and others well into the future. It won't surprise anyone—certainly, it won't surprise the people of Tasmania, especially those in the salmon industry—that Australia now suffers from the second-highest level of green lawfare anywhere in the world.

On the environment moreover, let's be clear that Australia should always strive to ensure that whatever we do in our country has minimal adverse impact on our unique and precious natural environment, and that includes ensuring that endangered species are protected. However, the Albanese government has completely failed to take the relevant steps to help improve the future prospects of either the species in question or the salmon workers. Reductions or closures of the salmon-farming industry's operations on the west coast of Tasmania, as seems to have long been the minister's plan, would cause thousands of direct and indirect job losses.

These impacts would be devastating at a local level, including by threatening the entire existence of the town of Strahan and other nearby regional communities, because there are simply no obvious replacement industries or adequate employment possibilities in those areas. The coalition have said on many occasions that we believe this minister's approach has been reprehensible. It has provided none of the necessary urgency or certainty and, in the case of the salmon workers in particular, has only created heightened anxiety and stress.

Science should have been better respected. In keeping with this point, it is very important to note the significant findings of a wealth of scientific studies and observations over the last 15 months. These have included reports from the Tasmanian Environment Protection Authority, the Institute for Marine and Antarctic Studies and Dr Ian Wallis and commentary from the University of Tasmania's Professor Barry Brook.

Among other conclusions, these studies and observations have pointed to manifest improvements in water quality in Macquarie Harbour, to no further declines in recent years in numbers of skates, the threatened species, and instead to stabilisation and positive signs for growth and to major flaws in some of the original modelling that was provided to the Threatened Species Scientific Committee. They also indicate that any threat to the existence of skates is due to a multitude of many different factors. Such findings are obviously also underscored by the fact that, unlike in Macquarie Harbour, the skate became all but extinct many years ago in Bathurst Harbour. That is an area of Tasmania in which salmon farming has never been practised. For all these reasons and many others, the strong view of the coalition is that the skate population and the salmon industry can clearly coexist sustainably at Macquarie Harbour, and that this provides the most balanced and positive outcome for everyone.

The DEPUTY SPEAKER (Ms Chesters): Is the motion seconded?

Mr Rick Wilson: I second the amendment and reserve my right to speak.