



Speech by

Peter Wellington

MEMBER FOR NICKLIN

Hansard Tuesday, 7 March 2006

RECREATION AREAS MANAGEMENT BILL

Mr WELLINGTON (Nicklin—Ind) (6.25 pm): It gives me a great deal of pleasure to rise to participate in the debate on the Recreation Areas Management Bill 2005. I have listened intently to speakers from both sides of the House and also to speakers from the crossbenches give their support, their opposition or their reservations about what is contained in this bill. Certainly, on reading the minister's second reading speech, it made sense as to why this legislation is necessary. I have considered the recommendations of the Scrutiny of Legislation Committee. I pose the question: are we setting a major precedent in this parliament in terms of the reversal of the onus of proof? The committee's report listed a whole series of current acts of the Queensland parliament which contain a reversal of the onus of proof. I note the report states the following at page 22—

Such requirements are now reflected in most natural resource legislation (such as the Nature Conservation Act 1992, the Fisheries Act 1994, the Transport Operations (Marine Pollution) Act 1995, the Transport Operations (Marine Safety) Act 1994, the Integrated Planning Act 1997, the Water Act 2000, the Vegetation Management Act 1999, and the Environmental Protection Act 1994) as well as national and international standards for environmental management (for example AS/NZS ISO 14000: Environmental Management Systems, Standards Australia).

There is no doubt that there is a precedent for the minister to justify what she has proposed in this bill. But how far does this reversal of onus of proof in criminal proceedings go? If the government is now going down the road of making significant changes to environmental legislation, will it make such changes to other legislation in Queensland?

I heard speakers talk about how great our camping facilities are in our state. There are certainly some great camping areas in my electorate of Nicklin. One of the reservations I have with this bill is that, on my understanding, it gives more power to senior management staff. I want to share with members a recent experience I had with senior management staff of the department on the Sunshine Coast. They made a decision to take rubbish bins out of a very popular camping location. We have heard members from the government talk about our great camping facilities and the great opportunities there are for people to dispose of their waste. I simply say that I had a recent experience which I had to bring to the minister's attention in order to get a resolution. That experience left me with the clear message that some of the senior management in the department seem to row their own boat. In relation to the incident in question, the senior management had an opportunity to consult with the community and the local chamber of commerce. But, alas, consultation did not happen until we had an embarrassing situation where the rubbish bins were removed without forward notice. As a result community and private rubbish bins were overflowing with refuse. After approaches to the minister, the senior management staff finally decided to consult with local council representatives and talk to the community.

Sometimes I worry when we give additional powers and resources to our senior management staff without any accountability for them. Yes, politicians are elected and they can be sacked just like that. Maybe this time next year we will be preparing to go to the election to let the people of Queensland decide our future.

Sitting suspended from 6.30 pm to 7.30 pm.

Mr WELLINGTON: I have no doubt that the minister has good intentions in relation to what she is trying to achieve through this new legislation. We need to ensure that we do not kill our recreation areas with kindness. We need to ensure that we balance and control in a sensible way the very forests that everyone wants to enjoy and treasure. There is a need for some common sense and a sensible method of ensuring that we do not destroy the very forests that we are trying to protect.

I have some reservations in relation to the powers that we are passing on to our middle management staff. We have some wonderful staff in our environment department who give 120 per cent in their efforts, and in my comments tonight I certainly do not want to take anything away from those staff who give their all for the good of Queensland and our environment. But I do believe that there are some staff who are receiving a very handsome salary and, unfortunately, for whatever reason, they neglect some of their key responsibilities which involve consulting with the community and local council equals when they make important decisions.

Prior to the break I was reflecting on one recent experience that has been brought to my attention. Unfortunately it had to be raised with the minister for her intervention. There was a situation where a decision was made to remove important waste disposal facilities from one of our camping grounds and there was no notice in advance to the local council or to the local community. Unfortunately a sad state of affairs eventuated.

I will be voting against the legislation. I will be listening with a great deal of interest to the minister's responses to the various concerns that have been raised by the opposition and members of the crossbench. I look forward to this debate progressing to the committee stage where there can be further debate about the ramifications of some of the clauses and perhaps a better understanding of the reasons the minister has chosen to include some clauses in this prospective legislation. I also look forward to listening to other members' contributions on this important bill.