




Speech By  
**Lachlan Millar**

**MEMBER FOR GREGORY**

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**VEGETATION MANAGEMENT (REINSTATEMENT) AND OTHER LEGISLATION  
AMENDMENT BILL**

 **Mr MILLAR** (Gregory—LNP) (5.54 pm): As a first-term member of this House I rise to voice my total disgust with this rotten piece of legislation. Perhaps as a first-time member I am more easily shocked, but today we are being asked to pass a bill which defies the most fundamental principles of good lawmaking. This bill is not about bestowing protection: this bill is about stripping our fellow Queenslanders of their rights under law. We must have independent courts, but the courts can only uphold the laws that we—who are privileged to sit in this House—write and pass.

Under this vegetation management bill the courts will have to presume the defendant before them is guilty. Most people will have heard of the presumption of innocence. With this bill Labor introduces a whole new concept: the presumption of guilt. If that is the case, what a sad chapter in the history of this House and the history of Queensland law. The prosecution will not have to prove your guilt; the court is bound to presume that you are guilty as charged. Reading the criticism by the Queensland Law Society I thought, 'Gee, this is an efficient system for the prosecution.' What a sinister system to inflict on our fellow Queenslanders. What a vicious precedent to install. Who wanted this reverse onus of proof? The Agriculture and Environment Committee report makes it very clear that this clause was actively lobbied for by the green groups because they want to see more successful prosecutions of landholders than they have been able to achieve under the previous vegetation laws: the Beattie laws, the Bligh laws and the LNP laws. The Queensland Law Society and others told the committee that there were insufficient grounds for such a serious breach of principle. The Law Society stated that administrative conveniences or prosecutorial efficiency does not justify erosion of the principle that a person is presumed innocent until they are proven guilty; in other words, you should not take away a citizen's right in order to make it easier to convict them, but that is exactly what this bill does. All legislators in this chamber should be horrified at what they are being asked to do.


Under the 'presumption of guilt' a second fundamental right is lost, and that is the right to silence. In law it is the prosecution which must prove guilt, but when the court must by law see you as guilty then the prosecution does not have to prove anything; it is the defendant who must somehow prove they are innocent. There goes your right to silence! This brings us to the matter of defence, and this is where it becomes even worse.

The legislation is totally founded on vegetation mapping of Queensland by the Department of Natural Resources and Mines. The department itself told the committee that the mapping is inaccurate, which makes such legislation not only premature but fundamentally not fit for purpose. The committee heard of landholders charged under existing laws—that is right, the existing laws—for being out by a matter of metres, but the department admits that the maps are out by kilometres. There are inaccuracies in the type of vegetation and then there are inaccuracies of scale, particularly when you try and zoom in on a fence line or similar structure. Under this legislation a landholder will be charged even if the

maps that he had to rely on are inaccurate. He or she will be charged if he acted on the advice of the department. If that advice turns out to be wrong—and the committee heard that departmental advice has turned out to be in error—then the landholder will be charged. When he or she is charged, he or she cannot use the incorrect maps which wrongly showed that he was safe or the incorrect advice from the departmental officers to defend himself because the legislation—this is where it hurts—removes his right to use the legal defence of mistake of fact. Is that what you want to pass tonight?

**Madam DEPUTY SPEAKER:** Order! Member for Gregory, I would remind you to direct your comments through the chair.

**Mr MILLAR:** This legislation is so rotten that on legislative principles alone it should be dumped. Tweaking it by amending it will not fix it. It is also at odds with scientific principles. Queensland is big—very big—and within its land mass are a variety of distinct ecosystems. In my lifetime the scientific principles of land management have come a long way. While we still have further to go, I can say that the most useful step is recognising the ecosystem you are trying to manage. This bill gives no such recognition. It applies a jackboot footprint across all. You do not manage mulga the same as brigalow or Mitchell grass plains like savannah woodland or rainforest.

 **Mr MILLAR** (Gregory—LNP) (7.40 pm), continuing: Mr Deputy Speaker, as you are a boy from Emerald, I am glad that you are in the chair to listen to my contribution because you will understand what I am saying. This legislation is so rotten that on legislative principles alone it should be dumped. That is what I said before the dinner break. This bill should be ruled out of order straightaway. It applies a jackboot footprint across all areas. You do not manage mulga the same way that you manage brigalow or Mitchell grass plains, and you do not manage them as you would savannah, woodland or rainforest. Therefore, this legislation will not achieve what the member for Mount Coot-tha keeps promising it will. What it will do is chop the Queensland economy off at its knees at a time when we are already in a downturn, particularly in regional Queensland.

As members know, Gregory contains the Bowen Basin coalfields, so it will be of no surprise that when the census was done in 2011 the resource industry was our biggest employer. What may surprise members is that the second biggest employer was agriculture, which was only a couple of percentage points behind the resource industry. It would now have regained its normal position at the top of the leader board. Furthermore, those agricultural jobs do not have a life of 30 years, as do jobs in a coalmine; agricultural jobs are forever. Agricultural jobs are not fly-in fly-out; they belong to residents and their families. Agricultural jobs underwrite regional Queensland's next biggest employer, that is, small business. Agricultural jobs keep our small towns prosperous and our land mass populated.

Our farms are getting tech smart. Our land management systems are getting better and better. We have unprecedented access to Asia and international markets, thanks to our free trade agreements. Queensland can prosper as a clean green producer of food and fibre, with an international reputation for quality and efficiency. Today, agricultural graduates are starting on higher salaries than many of their counterparts in conventional professions. In the electorate of Gregory, I am proud of the innovation that takes place every day, be it by Andrew and Jocie Bate at Swarm Farm, Craig and Bindi Pressler from 2PH who are developing new citrus varieties for specific Asian markets or the many good people working to develop the organic grazing industry on the Mitchell grass plains and those who are looking to restart the wool industry through the central west.

The federal government has announced funding for a business case towards the construction of Rookwood Weir. I have used this example many times as a case for why these laws should be thrown out. How the Labor party wants to change the laws should never have come to this parliament. With the Rookwood Weir, the people of the eastern part of Gregory were delighted because the impoundment would benefit us. However, if we follow what the Labor Party wants to do, this legislation would make such a construction pointless. This legislation would shut down all future prospects for growth in the most successful sector in the Queensland economy. This is Labor choosing that Queensland will not grow. This is Labor choosing not to develop our strengths. Why would any government be so reckless? When we talk about the Rookwood Weir, we are talking about an opportunity to construct further irrigation in Central Queensland. We are talking about a project worth billions of dollars in the agricultural industry. We are talking about hectares of irrigation.

**Mr Butcher** interjected.

**Mr MILLAR:** We can build the Rookwood Weir, but we cannot provide the irrigation country. That is what the legislation that the Labor Party has put before the parliament would do to the Central Queensland economy. I take the interjections from the member for Gladstone. He would understand that the Rookwood Weir has the potential to develop millions of dollars worth of opportunities through Central Queensland.

Eyebrows should have been raised when the passage of this legislation was taken from the Minister for Natural Resources and given to the member for South Brisbane. I know there are not many farms in the electorate of the member for South Brisbane. However, there is a desperate harvest under way, nonetheless. It is a harvest of green preferences. That is the true purpose of this bill. Last week, the blatant misuse of the SLATS report to demonise farmers saw a few people start to wake up. Rather than doing the hard work of proper land and environment management, the member for South Brisbane and the member for Mount Coot-tha have cast farmers as vandals who are determined to wreck the ecosystems of Queensland. The member for South Brisbane and the member for Mount Coot-tha ignore the evidence that clearly shows that in the brigalow ecosystem, vegetation management encourages pasture, which decreases sediments flowing into the Fitzroy Basin. I oppose this bill as a legal perversion. I oppose this bill as a breathtaking piece of cynicism—

*(Time expired)*