




Speech By  
**Trevor Watts**

**MEMBER FOR TOOWOOMBA NORTH**

---

Record of Proceedings, 17 March 2016

**VEGETATION MANAGEMENT (REINSTATEMENT) AND OTHER LEGISLATION  
AMENDMENT BILL, REPORTING DATE**

 **Mr WATTS** (Toowoomba North—LNP) (12.50 am): I rise to support the member for Mermaid Beach's amendment to the motion. Obviously I oppose the motion. Let me be clear that I oppose the bill in its entirety, but today I will speak about the timing. So that I can do that, I need to speak about a couple of elements of the bill which require more time.

As a legislature I think it is very important that we respect individuals and their rights. Our job is to create laws that will bring good government, so when we have a piece of legislation that reverses the onus of proof—something that is fundamental to the rule of law in many Western democracies, including here in Queensland—that is something that should not be taken lightly, should not be done in the darkness of night and should not be snuck through as people are getting ready to go on their Easter holidays. If you are going to reverse the onus of proof in a piece of legislation, then you really should consult with people. You should make sure that you have a fair and reasonable way to apply that piece of legislation. It should not be something that is done in the darkness of night.

A piece of legislation that contains a retrospective element to it is also something that I think the legislature should consider very carefully. When we make retrospective laws it should be done with good reason, but it should be done with good consultation because this proposed bill has a retrospective element to it that completely takes away many of the arguments that people have put to rush the consultation. There is no need to rush the consultation, because quite clearly there is a retrospective element to this bill. The moment it goes to the committee the legislation will be retrospective, so people very clearly can be given time without it damaging anything or changing the environment. People were saying that global warming will increase because we only have 19 days to save the planet. The fact that it is retrospective clearly shows that we have more time. At the very least I thank the minister for putting the retrospectivity in there so that we can sit here and debate how long we should consult with the people of Queensland.

The last element that worries me greatly when we come into this chamber and we make laws is that we steal people's property rights in the darkness of night. If someone had invested their life's savings in their house and this legislature moved a motion that we should take a percentage of their house off them in the darkness of night, I am sure that many people here would stand up immediately and oppose it. If we then tried to do that without discussing that with the people of Queensland and giving them a fair opportunity to comment, I think the people of Queensland would rightly kick us out at the next election. I warn the people on the back bench: if you steal people's property rights, they will be angry. They will remain angry, and they will make you pay at the ballot box.

Unfortunately for us trees do not vote, because we know that western and northern Queensland have far more trees than the south-east corner. We also know that people in the south-east corner have some quite often misguided notions of what farmers are doing. As was suggested by one of the other

members tonight, they are not sitting on their verandas waiting for an opportunity to be consulted about someone coming to steal their property off them in a retrospective way with a reverse onus of proof so they have to prove that they should not have it taken away from them.

There are three very dangerous legislative parts to this bill that require a great deal of consideration which I think should be given time. If we just get on to the time, we heard about the number of days. Technically speaking we cannot really count today, because I do not think anybody is going to be rushing out there at seven o'clock in the morning, bearing in mind that it is now five to one, so we are down to 18 days. I assume the secretariat at some point is going to have to write this report, so let us give them three days to get everything together and prepared. Now we are down to 15 working days. Bearing in mind it is the wet season, I wonder how many communities in regional Queensland a committee and secretariat can visit in 15 days to consult with those communities before they steal their property rights in a retrospective way, making them prove that they should not have them taken off them with the reversal of the onus of proof.

The really interesting part of that is for those people who have families and holidays, one of Australia's biggest holiday times is Easter. The Easter school holidays are right in the middle of those remaining 15 days, so there are 10 days of school holidays in the middle. People may not want to cancel a very expensive Easter holiday they have booked somewhere—as we all know, that is the time of the year that is the most expensive—so they can sit at home and prepare a submission in five days for the committee.

The reality is that, whilst I oppose the bill fundamentally and I look forward to debating the bill in its entirety, 30 June is a most reasonable time to be able to get around to those communities. In fact, I would almost suggest that that is too short a time. That is 72 days from now, if we do not count today, for consultation and preparation of the bill and allowing the committee to get around with the secretariat to record people's testimony. That testimony would obviously include the Wilderness Society as well as farmers and the various peak bodies. To suggest that that can all be done within five working days is a ridiculous suggestion.

There has been a lot of talk about what happened in the last parliament and how numbers might have been used and different things happened. I sat here and listened to a few people down there talk about how terrible it is when a parliament runs that way and how obnoxious it is to behave with such disrespect, yet they walk in here and do exactly the same thing. Not on something serious like drug-dealing gangs; we are talking about stealing people's property rights and not giving them the opportunity to even have a say in it. Not only is that extreme green, it is extreme socialism. To steal someone's property in the middle of the night without consulting them, without talking to them and without an opportunity for them to have a voice is abhorrent to me.

I urge the minister and members to consider carefully 30 June as a reasonable time line. Mr Speaker himself has said that he does not want to see a guillotine used in this place. The CLA has suggested that six weeks should be the minimum for a bill inquiry. We have had many bills that are much less complex than this bill, yet such a complex bill that has some really dangerous parts to it—the reversal of the onus of proof, retrospectivity and people's property rights—will be considered in less than six weeks. Whilst the minister may want to get retribution for what has gone before, I would suggest that if we really want to see Queensland governed well we should do this in a mature and responsible way. That has not always happened in this place, but certainly this is not an example of maturity, respect, consultation or any of the things that I think we all aspire to achieve when we walk into this place for the first time.

This bill represents a fundamental shift for a massive part of Queensland. We have talked about the area this covers. Because of the size of the area this piece of legislation is relevant to, you just cannot do that with five days. To suggest it is anything other than five days is to suggest that people do not have Easter, that people do not have holidays, that weekends should be worked on by the committee and by farmers and that everybody is tuned in right now on the live feed, waiting to type up their submission and get it ready for the committee. I suggest that that is not the case.

I urge the member for Nicklin to be true to the things he said in this place just a few short years ago about consultation. I also urge the minister to be true to herself and the things she said in this place about consultation and timeliness. If they are not, I think the people of Queensland will judge them very harshly going forward, as they will judge harshly all the backbenchers who do not allow consultation as people's property rights are stolen off them at one o'clock in the morning on a Friday.