




Speech By  
**David Janetzki**

**MEMBER FOR TOOWOOMBA SOUTH**

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**NATURE CONSERVATION (SPECIAL WILDLIFE RESERVES) AND OTHER  
LEGISLATION AMENDMENT BILL**

 **Mr JANETZKI** (Toowoomba South—LNP) (4.44 pm): It is always a pleasure to follow the heartfelt, passionate contributions from the member for Hervey Bay. I acknowledge his contribution and his lifelong experience. I too rise to make a short contribution to the Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2018. My contribution relates primarily to my suspicion of any government intervention or interaction with freehold land in Queensland. Freehold land is as it says it is. For 160 years in Queensland it has been free from hold. That is what freehold land is. I am more than ever convinced that this particular Labor government—the Palaszczuk Labor government—is more obsessed with intervention into private property in Queensland than any other government in Queensland's history.

**Mr Bailey:** It's a conspiracy!

**Mr JANETZKI:** We need only go back to the history, and I will take the interjection from the member for Miller. There is nothing conspiratorial about what happened in 2016. If you recall, in its first attempt to pass vegetation management legislation, or re-work the vegetation management legislation, in this House in 2016 the Labor government blatantly sought to criminalise landholders. There were mistake-of-fact provisions. There were reverse onus of proof provisions.

This government has proven itself incapable of leaving freehold property alone. Last year with the final passing of the vegetation management legislation—and I recall that the bill in 2016 was the one bill that was defeated during that term of parliament—what we saw was still an attack on private property rights in Queensland. Regardless of the merits or otherwise of this particular bill, this government has proven itself to be incapable of keeping its hands away from private property in Queensland.

I turn to the Property Council's submission which raises a couple of first concerns—and I will return to landholder interests shortly—with the government process by which these special wildlife reserves will be identified. If you turn to section 43A(8), the Property Council talked about the very broad trigger provisions that the minister may have in determining whether a special wildlife reserve will be enacted. Those broad parameters are economic, environmental or community interest of the state. This government is incapable of keeping its hands off private property and with those three broad categories—economic, environmental or community interest—we can rest assured that any private property in Queensland will be in the gun under this act.

It is worth also reflecting on the Labor government's first attempt to do vegetation management back in the Beattie era under the Vegetation Management Act 1999. One of the key aspects arising out of that act which was canvassed then but did not get much publicity last term in 2016 when they sought to criminalise farmers through mistake of fact and reverse onus of proof and last term when they finally passed their vegetation management agenda was the loss of value in private property. Those opposite will say that there is no loss of value to private property under this act. I think that is up for serious

debate. However, what I do think is irrefutable is that there will be an impact on the value of adjoining properties.

The value of adjoining properties, as has been so eloquently canvassed already by so many on this side of the House, will be determined by a range of factors. I think the member for Gregory referred to it as national parks being the Noah's ark equivalent of pests, feral dogs and feral pigs. If I recall correctly, the member for Gregory said that weeds and natural pests such as grasses, weeds and the like are the feed bank. It is going to be very challenging for adjoining landholders to maintain the value of their property once this act is brought into force.

I will return to the Vegetation Management Act 1999, because it was clear from a range of jurisprudential thinkers at the time what would happen. I recall that constitutional law lecturer from the University of Queensland, Suri Ratnapala, delved deeply into this because it was an attack on the value of people's private property. Again, the Labor government cannot help themselves. They go back into this territory. They will not stay away from private property in Queensland.

I will return to the Property Council's submission. We have established that the government has a very broad set of categories, whether it be environmental, economic or community interests. What makes this worse is that there is actually no criteria involved with these processes. We have these broad categories, but there is no defined criteria as to what will be caught under these categories. There is great uncertainty around personal property rights for those people who have been identified within a special wildlife reserve. More disturbingly, for those adjoining landholders who do not wish to sign up to the special wildlife reserve or are outside of it, their private property rights will also be negatively impacted in some respects. As I said, this is due to the bank of plant based weeds and the Noah's ark of pests—the dogs and the pigs—that will destroy the value of adjoining properties.

We heard the member for Burnett talk this afternoon about the bushfire crisis that we experienced across the summer. That crisis was in large part due to unmanaged national parks where the fuel loads increased and the fires were severely worsened because of the lack of management. Now we will have this challenge on adjoining properties because of this act.

Let me turn for a moment to the seriousness of what this means. This act essentially means that, if private property falls within a special wildlife reserve and the landholder signs up to it, it will have a caveat put on it for perpetuity. I do not know whether anybody has had any dealings with freehold property and removing a caveat, but essentially it is nearly impossible. It will require nearly an act of parliament to overturn the special wildlife reserves when they are enacted. As I have already stated, the criteria and the categories by which a property might be caught are extraordinarily broad and are extraordinarily within the discretion of the minister of the day.

The member for Glass House referred to the obvious attack on mining interests in this bill. This is locking up certain land for agriculture, but we can never deny that this act is targeted at limiting mining interests in remote areas of Queensland. It is locking up the value of our nation. It is clear from our battles on vegetation management and our battle today on this bill that this is a government that has no regard for agriculture, no regard for mining and no understanding of what has made our state great. Our primary production of resources, of agriculture—

**Mr Watts:** It's on the coat of arms.

**Mr JANETZKI:** I will take that interjection from the member for Toowoomba North. It is on our coat of arms. More than that, it runs through our blood and this government should hang their heads in shame for their lack of support for it.