




Speech By
Bryson Head

MEMBER FOR CALLIDE

Record of Proceedings, 29 March 2023

ENVIRONMENTAL PROTECTION AND OTHER LEGISLATION AMENDMENT BILL

 **Mr HEAD** (Callide—LNP) (12.32 pm): The Environmental Protection and Other Legislation Amendment Bill sounds great, but what an atrocious consultation process there was behind this bill. There were non-disclosure agreements where organisations were unable to talk to their paying members about this legislation. This shows how out of touch, chaotic, confused and arrogant this government is. This government talks about transparency and good practice and yet, once again, it fails miserably. This is a party that is meant to represent membership bodies but flatly refused to allow membership bodies to do their jobs.

Not only did the minister enforce a non-disclosure agreement on those representative groups, but through her and her department's comments she had them believing the original proposals would be mostly administrative in nature with no major policy changes. If this were the case, there would be absolutely no need for a non-disclosure agreement, which just highlights the lengths this minister went to in order to try to ram through extreme changes with this bill.

I thank many of those industry groups for their strong advocacy in calling out those appalling actions as it was only because of them fighting tooth and nail that the minister backed down in embarrassment and removed a lot of eyebrow-raising clauses that were initially going to be in this bill. Not only did the initial process fail on all accounts of good governance, but the committee process was incredibly flawed with only nine full business days given for submissions. In the limited time submitters had, they also took the opportunity to call out this flawed process. For example, the Queensland Resources Council said—

It is critical for industry confidence in an open, transparent, consultative government that such arrangements do not become the standard modus operandi for government processes. As a minimum there should be a reasoned explanation of why such a process is occurring, beyond simply stating that it is an exposure bill and thus not finalised government policy. For example, what content is particularly sensitive and why? If the changes are considered so minor that they did not justify a RIS, what is the rationale for the stringent confidentiality requirements?

The Association of Mining and Exploration Companies said—

AMEC also considers the manner in which consultation has been undertaken, combined with consistently short timeframes for responses to various iterations of documents, necessarily means the policy development behind the Bill will suffer from a lower quality and smaller breadth of responses that would otherwise likely be provided.

AMEC would be very concerned if the Department, or indeed the Queensland Government more broadly, were to adopt such practices more broadly moving forward.

The Australian Prawn Farmers Association said—

Given the extremely short period of time for industry to digest this information and understand its practical implications, and the amount of detailed commentary on the amendments, there is some real confusion about the nature and extent of some of the changes that are proposed and how they will operate in practice.

...

The APFA is a significant stakeholder in this Bill on behalf of our Queensland members and the adhoc and restrictive nature of consultation taken with the Exposure Draft (which is different to the Bill tabled) by the Department and now the time between the introduction of the Bill on the 12th October 2022 and the closing date for submissions on the 26th October 2022 also being extremely short, the timing does not allow a measured and considered response developed through consultation with our members.

As a member of parliament who actively consults with various industry groups that represent my constituents, I think it is abundantly clear that this government has set an incredibly dangerous precedent. Many stakeholders in the agricultural sector have made comments in the media about the failures of this government on this bill and other matters. This government is yet to understand that their actions have real environmental, economic and social consequences, especially when they fail to listen to the wider Queensland community. This can be seen in the current environmental degradation occurring as a direct result of this government's vegetation management laws in the mulga lands, as was reported in the *Queensland Country Life* last week. I table an article that appeared in last week's *Queensland Country Life*.

Tabled paper: Article from *Queensland Country Life* online, dated 23 March 2023, titled 'Killing with kindness: Mulga "deserts" prompt calls for changes to vegetation code, P5' [393](#).

The article notes the mulga 'deserts' that are occurring because of this government's laws. We all know how good the season is in Western Queensland, and the fact that there are mulga 'deserts' just shows how bad these laws really are.

This is a clear example of environmental legislation that is directly detrimental to Queensland's native flora and fauna and clearly needs improving in a way that respects Queensland's 13 unique bioregions. I raise this issue because this is another example of an environmental bill that was meant to protect our environment but significantly fails to do so. Queensland primary industry leads the world when it comes to environmental protection and they are proud to do so. Long hours are spent each week by many in rural and regional Queensland undertaking best practice to earn a living while feeding the world and taking care of Queensland's unique environment.

Other issues in the bill include clause 105, which seeks to amend section 493 of the Environmental Protection Act to make clear that executive officers can be held liable if they are in office at the time an act or omission occurred that resulted, even at a later time, in the commission of an offence. This is clearly not the right approach, as was also suggested by the Queensland Law Society. This clause will mean an executive can be liable for a decision even if all the best available evidence at the time suggests that it was the right decision. This is something that will be directly detrimental to much of Queensland and the supporting industries. This will significantly deter the very best talent for high-ranking industry jobs as they can now be liable for a decision even if the best available evidence at the time suggests that it was the right decision. This is yet another example of a government department and a minister wiping their hands of any responsibility for their own approvals process.

The lack of meaningful consultation, particularly with primary industry, is a significant oversight and the lack of transparency around the bill's development is concerning. We need to demand better from our elected representatives, and the LNP will continue to hold them to account for their actions.

Farmers are the true environmentalists, and their voices need to be heard when it comes to developing environmental legislation. Let's ensure we protect our environment and our communities for generations to come. I note that we will not be wholly opposing this bill, but we will be moving an amendment in consideration in detail to attempt to bring some genuine common sense into the key part of this bill.