




Speech By
Joan Pease

MEMBER FOR LYTTON

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ENVIRONMENTAL PROTECTION AND OTHER LEGISLATION AMENDMENT BILL

 **Ms PEASE** (Lytton—ALP) (6.05 pm): I rise to speak to the Environmental Protection and Other Legislation Amendment Bill 2022. This bill will amend the Environmental Protection Act 1994 to provide for a stronger, more effective environmental regulator. It will support the Department of Environment and Science in achieving its objective of environmental protection. It is important that its officers have the appropriate powers to investigate and take appropriate action against wrongdoing. The courts also need sufficient powers to punish and deter offenders. Some improvements have been identified to support investigation and enforcement under the legislation. This bill will address a loophole in the current executive officer liability provisions of the Environmental Protection Act. I know that the member for Warrego is interested in this, in particular in relation to Linc and the environmental damage that they have done out her way. Unfortunately, because of that loophole only Linc as an organisation could be fined, not the executive officers. Perhaps the member for Warrego should have a chat to the member for Bonney about his position of not supporting this particular provision to close that loophole so that the executive officers can be held responsible. As a consequence of this amendment, anyone who decides that they are going to be environmental plunderers can be held accountable.

Most people go about their everyday business not wanting to do harm. We want to live and tread on this planet softly and make sure that it is a better place for future generations. We do not want to be the ones responsible for the plundering of our planet. I am sure the member for Bonney would agree with me on that. Those opposite always have to go for the gotcha moment. There always has to be complaints about the process because they do not really care about the environment. What they care about is big business: their mates who support them and make big donations to their party.

Let us be very frank about this: the LNP has stated they will support it 'but'. Are those opposite going to support it completely or are they going to leave the member for Warrego out in the wilderness? At the moment only the company itself can be fined, not the executive officers. This amendment will close that loophole so that people who make those bad decisions will be held accountable. If they do the right thing they have nothing to worry about. The point to remember is that we should all be responsible and accountable for our actions.

The bill amends existing provisions that put beyond doubt that executive officers can be held liable if they were responsible for acts or omissions that cause illegal environmental harm that only crystallises after they leave office. It is important to take that into account. I am sure most people would not want to be the person responsible for leaving such a mark on the world.

It is expected that the executive officer liability provisions will continue to be used reasonably and only where an executive officer has clearly done something wrong. The existing defence provisions will apply to these amendments, meaning an executive officer can defend themselves against a charge if they took reasonable steps to prevent the environmental harm or if they were not in a position to influence the decisions that led to the harm. There are protections in there.

Importantly, the bill includes a number of amendments to add to the power of authorised persons to support the safety of authorised persons. This includes an amendment to allow authorised persons to take drones into places when exercising entry powers and to use body worn cameras. There is also a new power to allow authorised persons to require a corporation to nominate an executive officer to answer questions on behalf of a corporation.

At this point I would like to acknowledge all of the great workers within the department of environment and the Parks and Wildlife Service. I am very fortunate in my electorate to have some incredibly hardworking officers who go out each and every day to protect our beautiful environment.

Mr Harper: We had to employ more after they sacked them.

Ms PEASE: That was going to be my next point; I take the interjection from the member for Thuringowa and thank him for it. We had to rebuild after the Newman government—sorry, the ‘they who shall not be named’ government. When we got back into government we had to rebuild that very important workforce. We had to undertake a lot of training and development of officers to make sure that our beautiful environment is protected and that there is something here for my grandchildren and my grandchildren’s grandchildren.

I am delighted to see the amount of great work that we have done in the environment space. The Containers for Change scheme is one small example of that. We have done an amazing amount of work in this space and I am incredibly proud to be part of a government that has delivered that. My own community groups are really thrilled to benefit from the Containers for Change scheme. As a government we like to look after everyone: we look after big business and also our community groups, our charity groups and our environment. I am very proud to be part of a government that does that.

I acknowledge the member for Thuringowa, the chair of the committee, and my parliamentary colleagues the members for Pumicestone, Bonney, Southport and Mirani. I acknowledge the contributions of the 29 submitters and thank them for their efforts and for taking the time to make those contributions. I acknowledge the department—not only the great departmental staff who work in the field but also the departmental officers who undertake all of the great work that goes into writing these bills and making sure that our environment is protected. I also thank the witnesses who took the time to appear before the committee. Finally, I thank the committee staff for their tireless work in supporting the great work of the Health and Environment Committee. I believe that we have a very big responsibility in taking care of not only the environment but also the health of all Queenslanders.