




Speech By
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MEMBER FOR TOOHEY

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NATURE CONSERVATION AND OTHER LEGISLATION AMENDMENT BILL

 **Mr RUSSO** (Toohey—ALP) (8.30 pm): I rise to address the Nature Conservation and Other Legislation Amendment Bill 2025, a significant piece of legislation that seeks to modernise and streamline processes under the Nature Conservation Act 1992 and the Environmental Protection Act. Introduced on 12 March 2025, the bill was referred to the Health, Environment and Innovation Committee, which held a public briefing on 2 April 2025 and received three submissions.

While discussing nature conservation, I must take a moment to highlight the invaluable Toohey Forest located in my electorate. This forest is more than just trees and trails; it is a living, breathing ecosystem, home to diverse flora and native species. Spanning approximately 260 hectares, Toohey Forest is one of the few remaining green lungs of Brisbane, providing vital habitat for over 75 bird species including the rarely seen powerful owl. However, like many forests today, Toohey Forest faces threats from pollution and urban expansion. Once our forests and green spaces are lost, they rarely return. Protecting Toohey Forest is not just important; it is urgent. It is about ensuring clean air, preserving wildlife habitats and respecting the land we walk on.

I would also like to commend the Oxley Creek Catchment Association for their tireless efforts in restoring waterways, saving vegetation and educating the community about catchment management. Their work serves as a testament to the power of community-led conservation initiatives. Through programs like CreekWatch and their education initiatives, they have made a lasting impact on the health of our local environment.

One of the key aspects of this bill is its regulation of pet licences. In 2024 over 6,000 licences were granted permitting individuals to keep up to 10 captive-bred native animals as pets. These include species like children's python, pink-tongued skinks, shingleback lizards, bearded dragons, velvet geckos, various turtles, several frog species and native birds such as the king parrot and the rose-crowned fruit dove. Pet shops often rely on the ability to issue these licences promptly to support their business operations. Additionally, specialised hobbyists engage in the sale and trade of these animals. While many of these species are commonly kept in captivity and are not threatened in the wild, it is crucial to implement conditions on licences such as record-keeping requirements to mitigate risks associated with pet keeping and trade activities. These measures help protect wild populations from potential threats.

While the intent behind the bill is to enhance efficiency and clarity, it is imperative that we carefully consider its implementation to ensure environmental protections remain robust and public trust in our regulatory systems is upheld. The primary objective of the bill is to maintain current operational practices under the Nature Conservation Act 1992 by enabling the use of electronic systems for automatically issuing authorities for low-risk activities. Each year numerous authorities are granted under the Nature Conservation Act 1992 and the Environmental Protection Act 1994. These span the spectrum from low-risk activities such as keeping of pet blue-tongue lizards to high-risk undertakings like large-scale resource projects. The level of assessment required for each application is calibrated to the potential

environmental or conservational risk associated with the proposed activity. By formalising these practices, the bill aims to provide clarity and certainty regarding the validity of authorities issued through automated systems since 2017.

Furthermore, the bill proposes amendments to the Environmental Protection Act 1994 to clarify that penalty infringement notices can be issued for noncompliance with in-force environmental protection orders, direction notices and clean-up notices. This provision seeks to strengthen the enforcement mechanism and ensure that environmental obligations are met.

The Queensland Conservation Council, the peak body for environmental groups in Queensland, has expressed reservations about the bill. In their submission they highlighted the pressures facing Queensland's environment including weed infestation, deforestation and development. They urged the state government to prioritise resourcing for regional planning, expanding protected areas estates and implementing programs to prevent new species extinctions.

A central feature of the bill is the provision for automated decision-making in the granting of authorities for low-risk activities. While automation can enhance efficiency, it also necessitates rigorous oversight to prevent errors and ensure accountability. The Queensland Conservation Council has raised concerns about the potential for reduced transparency and the challenges this poses for enforcement and public participation. The definition of 'automated purpose' in the bill is broad, encompassing the automatic issuing, granting, amending, cancelling or renewing of licences, permits or other authorities by the operation of an electronic system. This expansive definition could grant significant discretion to the minister to determine which activities can be automatically approved. Such broad powers warrant careful scrutiny to ensure they do not undermine environmental protections or public confidence in the regulatory system.

It should be noted that section 170 of the Environmental Protection Act will apply only to standard applications for an environmental authority related to a mining lease. These applications must be decided by the administering authority or a delegate as they require public notification and allow third parties to make submissions about the standard conditions. Consequently, the administering authority must approve the application but may decide to approve it either with the standard conditions or with different conditions resulting from a properly made submission.

The bill introduces provisions to retrospectively validate all authorities previously granted by the operation of an automated system. The measure aims to provide certainty to individuals and the community who have relied upon these authorities to lawfully conduct activities in relation to native animals. While the intent is to uphold rights and entitlements, retrospective validation can be contentious as it may circumvent opportunities for review and accountability.

In addition to the provisions relating to automated decision-making, the bill proposes amendments to the Environmental Protection Act to clarify that penalty infringement notices can be issued for noncompliance with in-force environmental protection orders, direction notices and clean-up notices. This amendment seeks to enhance enforcement mechanisms and ensures that environmental obligations are met. However, it is essential that these provisions are implemented in a manner that is fair, transparent and consistent with the principles of natural justice.

Given the significance of the proposed changes, it is imperative that robust checks and balances are established to oversee the automated assessment process. The Queensland Conservation Council has highlighted past instances where automatic decision-making processes have gone awry, such as the robodebt scandal. To prevent similar issues, the department should implement comprehensive oversight processes to ensure that the automated assessment system functions as intended and that any errors are promptly identified and rectified.

In conclusion, while the Nature Conservation and Other Legislation Amendment Bill 2025 aims to modernise and streamline environmental regulatory processes, it is crucial that we approach these changes with caution and diligence. We must ensure that the rights of individuals are protected, that environmental safeguards remain intact and that public trust in our regulatory systems is maintained. The opposition supports the passing of this bill.