

- ~~a signed statement from the Treasurer, that the Treasurer has provided details of any government decision or any other circumstance that may have material implications for the fiscal or economic outlook and that the Under Treasurer could not reasonably be expected to be aware; and~~
- ~~a signed statement from the Under Treasurer that, to the fullest extent possible, the information in the report reflects the best professional judgement of officers of the Treasury, takes into account all economic and financial information available, including government decisions or other information disclosed by the Treasurer.~~

~~The update report will be published by Treasury, on the responsibility of the Under Treasurer and without reference to the government. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.~~

~~Leave granted.~~

~~Accurate costing of policy proposals is important, to allow the public to understand the affordability of these policies. This Bill provides that during the caretaker period:~~

- ~~the Premier can ask Treasury to cost the Government's policy proposals; and~~
- ~~the Leader of the Opposition can ask Treasury to cost the Opposition's policy proposals.~~

~~The Premier or the Leader of the Opposition can withdraw a request for costing at any time.~~

~~Costings for policies will be released as early as possible and no less than two days before the polling day for the election. If Treasury requires more information to cost a policy, the Under Treasurer will ask for that information from the Premier for a Government policy and from the Leader of the Opposition for an Opposition policy. If that information is not provided in time to prepare a costing, the Under Treasurer will release a statement to that effect.~~

~~Again, it is vital that Treasury's independence is maintained and is seen to be maintained while carrying out its responsibilities under this Bill.~~

- ~~Neither the Government nor the Opposition can ask Treasury to cost the other side's policies. Treasury can also not provide costing advice.~~
- ~~Treasury will provide its costings strictly according to the information and assumptions provided by either the Government or the Opposition.~~
- ~~In releasing its costings, Treasury will also release all information provided with regard to the policy.~~
- ~~Treasury will not make any comment on the rationale or efficacy of policies provided for costing.~~

~~Mr Speaker, this important Bill is introduced in furtherance of our enduring commitment to improving the transparency and accountability of the reporting of the state's finances.~~

~~It is a timely reform. This Bill provides the basis for assessing the capacity of the government of the day and the Opposition of the day to manage the state's finances into the future.~~

~~It deserves the support of both sides of the House.~~

~~Mr Speaker, I commend the Bill to the House.~~

~~Debate, on motion of Mr Nicholls, adjourned.~~

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## VEGETATION MANAGEMENT (REGROWTH CLEARING MORATORIUM) BILL

### First Reading

**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (12.09 pm): I present a bill for an act to impose a moratorium on the clearing of particular regrowth vegetation. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

*Tabled paper:* Vegetation Management (Regrowth Clearing Moratorium) Bill.

*Tabled paper:* Vegetation Management (Regrowth Clearing Moratorium) Bill, explanatory notes.

### Second Reading

**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (12.09 pm): I move—

That the bill be now read a second time.

On 18 March 2004 I stood in this chamber and introduced the Vegetation Management and Other Legislation Bill. It was the first bill introduced to the 51st Queensland parliament delivering one of Labor's core commitments to the people of Queensland announced during the 2004 election campaign. I said at the time that the bill delivered on a commitment that had been described as 'the most significant environmental decision in Queensland's history'. It put an end to the broadscale clearing of remnant vegetation in Queensland and has delivered the single largest reduction in greenhouse gas emissions

ever in Australia. It set the framework for the delivery to the then Howard government a 20- to 25-megaton reduction in carbon emissions and the ability to claim that Australia had met its international commitments outlined in the Kyoto Protocol.

Today, five years on, I again stand in this chamber to introduce the Vegetation Management (Regrowth Clearing Moratorium) Bill 2009 on the first sitting day of the 53rd Queensland parliament. This bill facilitates the implementation of Labor's commitment announced during the 2009 election campaign to further protect existing vegetation to provide a number of important environmental outcomes. It does so firstly by introducing a moratorium on clearing more than a million hectares of regrowth vegetation in Queensland. During the moratorium, this bill extends the existing ban on broadscale clearing of remnant vegetation to now include important high-value regrowth vegetation. Specifically, the moratorium protects all native regrowth vegetation within 50 metres of a watercourse in the priority Mackay-Whitsunday, Wet Tropics and Burdekin reef catchments and endangered regrowth vegetation in rural areas across the state for a period of at least three months.

During the recent election campaign, Labor committed to reducing the level of damaging pesticides and sediments flowing to the Great Barrier Reef. It is proposed to achieve this initially by restricting a combination of damaging farm practices such as overgrazing, tree clearing along creeks and excessive use of fertilisers. The provisions in this bill are the first step in meeting this election commitment and allow the government time to determine how best to achieve overall improvements to the health of the Great Barrier Reef.

Effective from the start of 8 April 2009, the bill restricts the clearing of endangered regrowth vegetation on freehold and leasehold land in rural areas across the state. From 8 April the bill will also restrict the clearing of riparian regrowth vegetation that stands within 50 metres of a watercourse in the priority Mackay-Whitsunday, Wet Tropics and Burdekin reef catchments. These restrictions will apply for the period of the moratorium while the government consults on new longer term arrangements to protect high-value regrowth.

It is important to note that the moratorium will not restrict clearing where there is an existing certified property map of assessable vegetation—a PMAV—showing an area of vegetation as a category X area. It will also not affect existing development approvals over the land where clearing is a natural and ordinary effect of the approved development.

My department has already released a state-wide map, which is also produced at individual property level, showing the vegetation affected by the moratorium, including the watercourses identified within priority catchment areas. For the endangered regrowth protected under the moratorium, the maps have been made using the SLATS based science measure of foliage protective cover to show the regrowth that has a coverage that equates with the national standards used for both the Australian National Forest Inventory and the National Carbon Accounting System.

To further assist landholders comply with the new provisions, a map of the Mackay-Whitsunday, Wet Tropics and Burdekin priority reef catchments will also be available on the department's website once this bill is passed. These catchments have been identified as high risk due to their pollutant loads and proximity to the Great Barrier Reef.

I will outline the current vegetation laws and the factors that have led to this moratorium to put the changes in this bill into context. The legislation I introduced in 2004 now protects all remnant vegetation from broadscale clearing. Remnant vegetation refers to vegetation that is mapped as remnant on regional ecosystem and remnant maps produced by the department. These are areas that are relatively undisturbed or that have been cleared previously and have regrown and recovered and are now similar to when the vegetation was in its original state. Regrowth vegetation is, under the Vegetation Management Act, defined as non-remnant vegetation. It is shown as white on the department's regional ecosystem and remnant maps.

Since this government ended the broadscale clearing of remnant vegetation in December 2006, the clearing of regrowth vegetation has continued on both freehold and leasehold lands. Only the clearing of some regrowth vegetation—that which has not been cleared for almost 20 years since 31 December 1989 on state leasehold—is currently regulated. Data from the state-wide land and tree study report for 2006-07 released in February this year showed a substantial decrease in clearing rates and greenhouse gas emissions compared to previous reports, but the continuing rate of regrowth clearing is a concern.

Clearing rates had dropped 37 per cent from 375,000 hectares in 2005-06 to 235,000 hectares in 2006-07—the lowest rate of clearing since the first state-wide land and tree study, or SLATS study, reporting period nearly 20 years ago. Of the 235,000 hectares of woody vegetation cleared, 129,000 hectares was remnant and 106,000 hectares was non-remnant regrowth vegetation.

Clearing of remnant vegetation is mostly accounted for as clearing under the last of the broadscale permits in 2006 and clearing under established exemptions like roads, minor infrastructure and mining. However, the continuing high rate of clearing of endangered regrowth is a threat to biodiversity and allows for the continued release of significant levels of greenhouse gas emissions.

Regrowth vegetation, particularly mature regrowth which has not been cleared for many years, contains many of the biodiversity and ecological values of remnant vegetation. Protecting endangered regrowth vegetation also helps to maintain and conserve regional ecosystem types with low coverage or high conservation values by assisting more areas to mature into remnant regional ecosystems.

With respect to the protection in riparian regrowth in priority reef catchments, the Reef Water Quality Protection Plan, commonly known as the reef plan, is a joint initiative with the Commonwealth government for the protection of catchments adjacent to the Great Barrier Reef World Heritage area. The plan aims to reduce the level of pollutants entering the Great Barrier Reef from diffuse sources, such as the discharge of sediments and chemicals.

Protecting riparian vegetation in priority reef catchments from clearing is designed to be one of a number of measures to improve water quality and thus is fundamental to achieving the government's commitment to protect the reef. The concerning levels of regrowth clearing and the importance of improving water quality in reef catchments means that it is time for the government to consider ways to reduce clearing of regrowth vegetation.

This government wants to take a considered approach and consult with stakeholders to respond to this challenge. However, this moratorium must be put in place to allow that process to occur without the threat of pre-emptive clearing. The government has committed to consulting with stakeholder groups on the longer term arrangements that should apply to protecting high-value regrowth vegetation. This commitment is reflected in the purpose of the proposed act.

Up until 15 May 2009—the first half of the moratorium—the government will seek submissions from peak stakeholder groups about longer term arrangements to protect regrowth vegetation. The public can have their say through these groups or via an email address accessed from the department's website. Over 20 people have already used the email address to seek information and make inquiries about the moratorium. The government proposes to meet again with key stakeholders after submissions have been considered and before the end of the moratorium period. The bill also allows the minister to extend the moratorium period for a further three months if more time is required to ensure that proper consideration has been given to permanent protection measures.

I would now like to briefly outline some details of the bill and how the moratorium will operate. There are a number of exemptions to the restrictions imposed by the moratorium. Landholders can continue to clear regrowth vegetation in the moratorium area for most property management activities that are already exempt under the Integrated Planning Act. These exemptions include burning off vegetation to reduce fire hazard; clearing for firebreaks and fire management lines; clearing to protect life and property in a bushfire situation; clearing for mining and transport infrastructure; clearing for a native forest practice; clearing for urban purposes in an urban area; and clearing necessary under an existing development approval.

Another important aspect of the bill is how it affects property maps of assessable vegetation, or PMAVs. As I said earlier, those landholders with certified PMAVs will be able to rely on those PMAVs and continue to clear vegetation mapped as category X areas. This gives landholders with PMAVs continued certainty about managing regrowth on their properties. This was a commitment I gave in 2004, and I restate it here today. PMAV applications lodged on or after 26 March 2009 and not decided at the commencement of the legislation will be dealt with under the provisions of the moratorium. 26 March is the day the Bligh government was sworn in by the Governor of Queensland.

018 Applications lodged after 26 March will be assessed as to whether approval could lead to clearing of vegetation that is intended to be protected under the moratorium. If areas protected by the moratorium are not part of the application, they will be processed as usual during the moratorium period. This also serves to provide certainty for landholders. And it ensures that high-value regrowth on those properties will still be protected by the moratorium and by future vegetation management laws.

The bill ensures that broadscale clearing of regrowth protected by the moratorium cannot occur. However, landholders will be able to continue to make applications to clear regrowth in moratorium areas for most of the same purposes that currently apply in remnant vegetation. During the moratorium period, however, these applications will be assessed outside the Integrated Planning Act processes that would ordinarily apply to vegetation clearing applications. Instead, these activities will be assessed and made exempted using a specific authority under the proposed act. This will provide for timely decisions to allow for routine development while protecting the important values of the vegetation.

Further, the bill contains provisions that will allow the department to halt processing of any applications that may not further the purpose of the moratorium or the Vegetation Management Act. As I have already discussed, this bill provides for the moratorium to be effective from 8 April 2009; allows the assessment of certain PMAVs lodged on or after 26 March and changes the way that development applications in the moratorium area will be assessed during the moratorium.

These aspects of the bill are retrospective in effect. There are two reasons why retrospectivity is justified in this bill. The first reason is that it is accepted that retrospectivity is justified where the interests of the public as a whole outweigh the interests of an individual. In this instance, the retrospectivity is

justified by the need to implement the moratorium swiftly to avoid pre-emptive clearing by landholders who seek to take advantage of the time taken to pass new laws. Such pre-emptive clearing would seriously undermine the intent of this bill.

There are also a number of strong factors which mitigate the impacts of retrospectivity in this case. The announcements concerning the moratorium were clear and well reported. The period of the retrospectivity is relatively short. Importantly, the bill contains deliberate provisions that avoid any imposition of criminal liability for clearing vegetation protected by the moratorium during the retrospective period.

The Premier made an election commitment on 15 March 2009 for a three-month moratorium on endangered regrowth vegetation. I made a further announcement on 7 April 2009 of my intention to introduce legislation about this moratorium at the earliest possible opportunity. I made it clear that this moratorium would take effect the next day, on 8 April 2009.

At this time the department made maps available showing the vegetation to be affected by the moratorium and over 15,000 of these maps have been made available to landholders. Information was also made available on the website and at customer service centres across the state detailing the reasons for the moratorium, providing answers to common questions and contact details for further information. These two announcements mean that there was significant public awareness that a moratorium would be put in place and that its effect would commence on 8 April 2009. I have brought the bill to the parliament at the earliest opportunity to minimise the length of retrospective effect.

Further, to minimise the retrospective effects, this bill does not impose retrospective criminal liability for the period from 8 April 2009 to the assent of this bill into law. This is both appropriate and fair. The applicable offence provision lies in the Integrated Planning Act and the bill specifically provides that this provision does not apply to clearing of vegetation protected by the moratorium during the retrospective period. The bill does, however, provide that landholders who clear protected vegetation in the moratorium area during the retrospective period may be required by the department to allow the vegetation to regrow.

In summary, this bill implements a pause in clearing—a breathing space—to give the government time to determine how regrowth with high conservation value can be effectively protected in the longer term, and how riparian vegetation can support the government's commitment to improve water quality of the Great Barrier Reef and the objectives of the Reef Protection Plan. A moratorium on the clearing of endangered regrowth and riparian vegetation in priority reef catchments will allow the government to consult with landholders and key stakeholders about longer term arrangements for high conservation value regrowth and identify how regrowth protection can best complement actions within the updated reef plan.

The introduction of this bill keeps faith with the electors of Queensland to deliver on commitments made by Premier Anna Bligh during the course of the recent state election campaign. It is an election commitment that will deliver important environmental outcomes that will further ensure the long-term health and sustainability of our diverse landscape and our iconic Great Barrier Reef. I commend the bill to the House.

Debate, on motion of Mr Seeney, adjourned.

## ~~CORRECTIVE SERVICES AND OTHER LEGISLATION AMENDMENT BILL~~

### ~~First Reading~~

~~Hon. NS ROBERTS (Nudgee ALP) (Minister for Police, Corrective Services and Emergency Services) (12.24 pm): I present a bill for an act to amend the Corrective Services Act 2006, the Penalties and Sentences Act 1992 and the Police Powers and Responsibilities Act 2000 for particular purposes, and to repeal the Sporting Bodies' Property Holding Act 1975. I present the explanatory notes, and I move—~~

~~That the bill be now read a first time.~~

~~Question put That the bill be now read a first time.~~

~~Motion agreed to.~~

~~Bill read a first time.~~

~~Tabled paper: Corrective Services and Other Legislation Amendment Bill.~~

~~Tabled paper: Corrective Services and Other Legislation Amendment Bill, explanatory notes.~~

### ~~Second Reading~~

~~Hon. NS ROBERTS (Nudgee ALP) (Minister for Police, Corrective Services and Emergency Services) (12.24 pm): I move—~~