

~~tools to put bad tenants on notice and nip bad behaviour in the bud before things spiral out of control. A strong message must be sent to problem tenants that the community will not accept disruptive, dangerous and illegal behaviour. I stress again that this is about cracking down on the worst of the worst. This policy will send a clear message to the antisocial minority that if they do not appreciate their homes there are plenty of others who do.~~

~~(Time expired)~~

### **~~Regional Community Association Moreton Bay~~**

**Mrs SCOTT:** ~~My question without notice is to the Minister for Communities, Child Safety and Disability Services. Will the minister advise if she is aware of claims by members of the Regional Community Association Moreton Bay that staff of the association recently have not been provided with pay slips and that their wages have been paid from an account held by a bank other than the association's regular bank?>~~

**Ms DAVIS:** ~~I thank the honourable member for the question. As I spoke about yesterday, this is a matter that is being investigated by the department and they will continue to do so. Anyone would think that those opposite actually care about this particular community organisation. They did not know it existed until these allegations were made. I wonder whether part of the drive of this might have something to do with the marginal seat of the federal member for Petrie, Yvette D'Ath and her very great desire to withstand an onslaught from the very fine candidate in Luke Howarth. It is an important issue that is being investigated by our department, and it will continue to do its job.~~

~~What is also of concern to me is that those opposite do not understand process when a complaint is made to my department. Since 2008, some 24 complaints have been investigated, including those during the time of the former government. There is a process and it will be followed. What do those opposite feel should be done here? A process is being followed. Some more information has been passed on to the CMC and it will investigate, as required, and an outcome will be reached. What is important is that due process is followed. That is what is happening. Our department was proactive last year—proactive well before it came to the attention of the *Courier-Mail* and those opposite and was referred to the CMC, and it came back. The findings were that there was nothing to be answered with the material, and that is the response. So I do not quite know what those opposite are after. These are issues that require investigation. That is what is happening. Those opposite have no interest in the community centre in Redcliffe, other than to use it for political purposes. That is what they do—gutter tactics, anything to bring anybody down. They do not care about the real service delivery that is being—~~

~~(Time expired)~~

**Madam SPEAKER:** ~~The time for questions has finished.~~

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## **VEGETATION MANAGEMENT FRAMEWORK AMENDMENT BILL**

### **Introduction**



**Hon. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (3.31 pm): ~~<I present a bill for an act to amend the Vegetation Management Act 1999, the Land Act 1994, the Sustainable Planning Act 2009 and the Wild Rivers Act 2005 for particular purposes. I table the bill and the explanatory notes. I nominate the State Development, Infrastructure and Industry Committee to consider the bill.>~~

*Tabled paper:* Vegetation Management Framework Amendment Bill 2013.

*Tabled paper:* Vegetation Management Framework Amendment Bill 2013, explanatory notes.

Since its election, the Newman government has wasted no time in delivering a program of significant legislative reform that seeks to reduce red tape and encourage growth in the four key pillars of the Queensland economy. Today I am absolutely delighted and excited to introduce to the House a package of reforms to Queensland's vegetation management laws that will support growth in all four of these pillars but in particular the agricultural sector. The Vegetation Management Framework Amendment Bill 2013 represents a key milestone in delivering on the Newman government's core commitment to reduce the regulatory burden on industries that are the backbone of the Queensland economy—agricultural businesses that produce food and fibre for local and international markets. These proposals represent the most significant reforms to legislation affecting agricultural production in decades. These reforms restore much needed balance to the state's

vegetation management framework—a set of laws that had become so skewed towards supposedly protecting the environment that they forgot about protecting people, their livelihoods and the communities that they are a part of. Twenty years of Labor allowed the pendulum to swing too far towards radical green policies that threatened the ability of landholders to effectively manage their businesses and maintain productivity.

The reforms I present to the House today will bring to an end 20 years of Labor pandering to the extreme green movement. They also expose the furphy that Labor really cared about the environment. What Labor really cared about was securing green preferences at state elections, and every time it tightened the vegetation management screws it sold out the people of the bush and demonstrated absolute disdain and disrespect for the contribution rural Queenslanders make to the state's economy. These reforms bring to an end layer upon layer of vegetation management laws that were imposed on landholders, strangling them in red tape and crippling their ability to improve productivity. The cumulative effects of successive amendments to vegetation management legislation led to an onerous web of red tape that constrained even the most routine of vegetation management activities.

For too long the legitimate concerns of landholders about Queensland's burdensome Vegetation Management Act 1999 have been ignored. Today I present reforms that bring to an end a sorry chapter in the history of public policy in Queensland. This bill heralds a new era of supporting sustainable land management practices undertaken by Queensland's most committed and experienced stewards of the land—Queensland's farmers and graziers. Not only did the previous administration's policies create angst and uncertainty across Queensland; they also cost all Queenslanders dearly in terms of lost jobs and lost economic opportunities as a result of lower farm productivity. This fact is reinforced by the recent findings of the Office of Best Practice Regulation's interim report on measuring and reducing the burden of regulation, which concluded that the vegetation management framework increases costs and prevents efficient use of property.

The reforms proposed in this bill respond to these complaints and findings. I will take some time now to outline the proposed amendments to the Vegetation Management Act. The bill proposes a number of significant changes to the vegetation management framework to provide a balance between the conservation of vegetation and biodiversity values and the sustainable economic development of the state. The reforms presented today are practical, sensible reforms which will make it easier for landholders to manage their properties and pursue viable rural businesses. Firstly, the purpose of the Vegetation Management Act is to be amended to include the management of vegetation in a way that allows for sustainable land use. This fundamental change will mean that, for the first time in almost a decade, vegetation laws will recognise the importance of landholders being able to sustainably manage the landscape to produce food and fibre. This amendment is just the first of many that will swing the pendulum back to the centre to a position where the legislation supports, rather than vilifies, primary producers.

The bill proposes to repeal regrowth regulations that apply to freehold and Indigenous land. In a display of breathtaking arrogance, the previous Labor government in 2009 stripped away the fundamental property rights of freehold landholders by extending the restrictions previously applied to regrowth vegetation on leasehold land. That decision, like so many others, destroyed any remaining trust that landowners had in the former Labor government and left them feeling betrayed and abandoned. More worryingly for the families and the communities that surrounded them, it took away long-term planning certainty and any hope that they could maintain and improve the productivity and profitability of their rural enterprises. Repealing these damaging provisions will return the legislative requirements on freehold and Indigenous land back to those that were in place prior to the regrowth regulations that were imposed in November 2009. In recognition of the importance of maintaining the integrity of creeks, streams and waterways close the coast, the regulation of regrowth vegetation within 50 metres of reef watercourses in priority Great Barrier Reef catchments will remain.

This bill also creates a new head of power under the Vegetation Management Act allowing for the development of additional self-assessable vegetation management codes. For too long landholders have had to apply for clearing permits to undertake routine management of their land. The creation of self-assessable vegetation management codes for certain activities, including maintaining fences or firebreaks, fodder harvesting, property infrastructure, thinning, encroachment management and pest and weed management, will not only reduce the regulatory burden and paperwork for landholders but empower them to once again be responsible stewards of their land. In many parts of rural Queensland where vegetation encroachment on grazing land is threatening

biodiversity and the natural balance between rangelands and timbered country, these reforms will allow graziers to undertake vegetation management in compliance with a new self-assessable code.

011 Similarly in South-West Queensland, the harvesting of mulga for stockfeed will be allowed under a self-assessable code. Right across Queensland, where woody and invasive weed species are threatening biodiversity and the productivity of grazing land, these amendments will cut the red tape within the vegetation management framework to ensure routine vegetation management practices can be conducted responsibly and in accordance with these self-assessable codes. Practically speaking, this would mean that day-to-day vegetation management practices that contribute to the sustainability and profitability of a farm business can be carried out in accordance with a self-assessable code and without the need for a permit, provided the Department of Natural Resources and Mines is notified.

The bill proposes that the Vegetation Management Act also include a new exemption for clearing purposes for high-value and irrigated high-value agriculture and necessary environmental clearing. These provisions will strongly support the development of Queensland's agricultural sector. Clearing for high-value and irrigated high-value agriculture, which includes annual and perennial horticulture and broadacre cropping, will be able to occur where landholders can satisfy a number of requirements. These include that the land is suitable, the activity is economically viable and, where irrigated high-value agriculture is proposed, there is sufficient water available for the activity. To ensure long-term sustainability, applicants will need to submit a development plan to demonstrate the application is for high-value or irrigated agriculture. Once the development plan is approved, the application will then be assessed against the regional vegetation management code. These requirements are intended to balance the sustainable use of Queensland's agricultural land with appropriate environmental considerations. I stress, however, that the Department of Natural Resources and Mines will ensure this process is streamlined and efficient.

The Newman government is committed to its clear target of doubling the value of agricultural production by 2040. Reforms such as these will contribute greatly to that target. As each cyclone and wet season passes, I hear constituents from my electorate of Hinchinbrook talk about the terrible damage to public and private infrastructure and the impacts that serious flooding has on the landscape and to the social and economic fabric of local communities. In some cases this damage could have potentially been avoided if landholders were able to undertake pre-emptive environmental clearing.

Introducing the new purpose of clearing for necessary environmental clearing will allow landholders, natural resource management groups and local governments to achieve good environmental outcomes through activities such as stabilising riverbanks, erosion prevention and remediation of degraded or contaminated areas. This purpose will also include clearing for pre-emptive works in preparation for potential natural disasters. Where landholders have not been able to pre-empt and prevent damage caused by a natural disaster, a proposed change to the Sustainable Planning Regulation will include a new exemption for clearing after natural disasters. This exemption will help landholders and regional communities to get on with the task of recovery and rebuilding following these events.

Another common complaint from landholders and developers that the bill responds to is the complexity of the vegetation management maps attached to the act itself. Other reforms in the bill include a suite of changes that will see major simplification of the vegetation mapping used to identify vegetation types. The improved mapping will clearly define and identify regulated and non-regulated areas of vegetation, making it much simpler to use and interpret.

In addition to the complaint of being overburdensome, the vegetation management framework is also frequently criticised for extending development assessment timeframes for far too long. Currently, an application for a material change of use and/or reconfiguring a lot permit triggers concurrence agency assessment against the Vegetation Management Act by the Department of Natural Resources and Mines. These applications are referred from the local government to my department for assessment if assessable vegetation is going to be impacted and the area in question is two hectares or more.

To streamline this process and facilitate efficiencies for small scale developments, it is proposed to amend the Sustainable Planning Regulation to increase the trigger for concurrence from two hectares to five hectares. As part of the broader reform package, the Sustainable Planning Regulation will also be amended to provide exemptions for supported transport infrastructure as well as infrastructure on land which would meet the requirements for community infrastructure designation

under the Sustainable Planning Act 2009. This will reduce costs and facilitate the building of essential and important infrastructure that benefits the community and the economy.

The bill also proposes to repeal the interactions between the Vegetation Management Act and the Wild Rivers Act, removing the current duplication between the two pieces of legislation. Finally, the bill also removes a number of unfair offence and penalty provisions under the Vegetation Management Act and the Land Act. This includes removing the guide to sentencing under section 60B of the VMA following a recommendation from a review by crown law and removing the reversal of onus of proof provisions in section 67A of the VMA where a landholder is taken to be responsible for clearing without any further evidence to the contrary. In particular, the removal of the section 60B penalty guide will provide the opportunity for more equitable consideration in cases of inappropriate land clearing.

Previously under this section, a person who unlawfully cleared a small area could pay significantly more on a per hectare basis than another person who cleared vast tracts of protected vegetation. The penalty guide did not specifically consider issues such as the capacity of a defendant to pay, the impact on the property, the level of knowledge the individual had or even if the defendant has derived a benefit from the clearing. In many cases magistrates prosecuting these cases found the guide confusing, but had little alternative apart from using this schedule to fine rural landholders near the maximum prescribed penalty for these offences. The bill will also remove section 67B. In removing this section, it will ensure that landholders who make an honest mistake cannot be charged with an offence where that person has a reasonable and honest but mistaken belief that led to the offence. As a result, they will not be criminally responsible for their acts.

In summary, the reforms proposed in this bill are significant, but they are necessary to remove the shackles of decades of Labor overregulation of vegetation management activities. What I have outlined is a snapshot of the extensive work that my Department of Natural Resources and Mines has completed in developing these reforms. I also acknowledge the strong support of the Deputy Premier and the Department of State Development, Infrastructure and Planning in the preparation of this bill. The reforms I have outlined provide a balanced and practical approach to sustainable land use and environmental protection. These reforms will benefit the resources sector, the property and construction industry and local governments. However, the most significant benefits and opportunities in this bill are afforded to farmers and graziers, agricultural industries and regional and rural communities across Queensland. It gives me a great deal of personal satisfaction and pride to commend the bill to the House.

### First Reading

 **Hon. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (3.46 pm): 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.

### Referral to the State Development, Infrastructure and Industry Committee

**Mr DEPUTY SPEAKER** (Mr Berry): Order! In accordance with standing order 131, the bill is now referred to the State Development, Infrastructure and Industry Committee.

### ~~Portfolio Committee, Reporting Date~~

 **Hon. AP CRIPPS** (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (3.47 pm) ~~by leave, without notice: I move—~~

~~That under the provisions of standing order 136 the State Development, Infrastructure and Industry Committee report to the House on the Vegetation Management Framework Amendment Bill by 14 May 2013.~~

~~Question put—That the motion be agreed to.~~

~~Motion agreed to.~~