

~~Hon. MF McARDLE (Caloundra—LNP) (Minister for Energy and Water Supply) (4.38 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 Watts): 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. MF McARDLE (Caloundra—LNP) (Minister for Energy and Water Supply) (4.39 pm), by leave, without notice: I move—~~

~~That under the provision of standing order 136 the State Development, Infrastructure and Industry Committee report to the House on the Electricity and Other Legislation Amendment Bill by 13 May 2014.~~

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

~~Motion agreed to.~~

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FORESTRY AND ANOTHER ACT AMENDMENT BILL

Introduction



Hon. SL DICKSON (Buderim—LNP) (Minister for National Parks, Recreation, Sport and Racing) (4.39): I present a bill for an act to amend the Forestry Act 1959 and the Recreation Areas Management Act 2006 for particular purposes and to make minor and consequential amendments to the act mentioned in schedule 1. I table the bill and the explanatory notes. I nominate the Health and Community Services Committee to consider the bill.

Tabled paper: Forestry and Another Act Amendment Bill 2014.

Tabled paper: Forestry and Another Act Amendment Bill 2014, explanatory notes.

I am pleased to introduce the Forestry and Another Act Amendment Bill 2014. This bill will amend the Forestry Act 1959 to facilitate the remaking of the Forestry Regulation 1998 which is due to expire in August this year. The bill also amends the Recreation Areas Management Act 2006 to insert provisions relating to the renewal of commercial activity permits to ensure consistency across other relevant legislation administered by the Queensland Parks and Wildlife Service.

Like some of the forests it used to administer, the Forestry Act is quite old. While it continues to serve its purpose well in providing the necessary legislative framework for managing Queensland's forest lands, the act has been reviewed in the process of preparing to remake the Forestry Regulation and there are several areas that require amendment to bring it up to date. This bill will transfer a number of specific provisions from the Forestry Regulation into the Forestry Act to achieve consistency with modern drafting practice and to meet the fundamental legislative principles set out in the Legislative Standards Act 1992.

Offences and the penalties associated with committing a number of offences under the Forestry Act will also be standardised with more contemporary legislation and will streamline the administration and management of forest lands. This will assist the Department of National Parks, Recreation, Sport and Racing and the Department of Agriculture, Fisheries and Forestry, as both departments have responsibilities under the Forestry Act. The general community will also benefit, as it will remove confusion caused when the law in relation to carrying out a particular activity is unnecessarily different across lands such as national parks and state forests.

The first category of amendments relates to transferring officer powers from the Forestry Regulation into the Forestry Act. Currently, the Forestry Act provides for the appointment of forest officers and plantation officers. Forest officers are generally Public Service employees, such as Queensland Parks and Wildlife Service rangers, with responsibility for the management of state forest lands. Plantation officers are employees of HQPlantations, the company licenced to manage plantation timber within specific state plantation forests. Forest officers and plantation officers can exercise powers specified in the forestry legislation. The majority of powers granted to forest officers

and plantation officers are specified in the Forestry Act. However, at present the Forestry Regulation also contains some provisions specifying officer powers. These provisions will be moved from the regulation and consolidated into the act.

The second category of amendments involves inserting officer powers into the Forestry Act for the management of camping and animals. This will allow forest officers to be provided with the power to give a person direction verbally rather than in writing to leave a camping site if there is a safety risks such as an approaching forest fire. Since 2006, Queensland Parks and Wildlife Service officers have had the ability to give verbal directions to leave camping sites in protected areas and recreation areas; however, similar powers do not exist for managing state forests. Further, these amendments will allow forest officers to give directions to a person to remove an animal if it is unlawfully in the area, it has been causing a disturbance, or it is a danger to persons or wildlife. These amendments will provide consistency in this regard over state forests, protected areas and recreation areas.

The third category of amendments in this bill involves updating maximum penalties for offences to ensure consistency with other contemporary legislation used to manage Queensland Parks and Wildlife Service lands. Currently the maximum penalties for a range of offences on state forests relating to inappropriate conduct and damage to state assets and property are significantly lower than penalties in more contemporary legislation. Some examples of these offences include unlawful lighting of a fire, polluting watercourses, littering, burying waste, dumping noxious materials, unlawful use of vehicles and vessels, unlawfully possessing traps, firearms or explosive devices. Most of these offences are currently located in the Forestry Regulation, with a maximum penalty of only 10 penalty units, which is the equivalent of \$1,100. Now I do not believe a court imposed fine to a maximum of \$1,100 is adequate in cases where, for example, a person causes a fire in a state forest that destroys native forest or commercial timber and/or damages public infrastructure and private property. To address this matter, this bill will increase the penalties for such offences to be consistent with other contemporary land management legislation such as the Nature Conservation Act 1992. In order to provide higher penalties for such serious offences, the existing offence provisions in the Forestry Regulation will be moved to the Forestry Act to comply with requirements for offences with penalties above 20 penalty units to be located in the primary legislation. There are several instances where current penalties in the forestry legislation are higher than those for the same offences in the other legislation. This bill will reduce the maximum penalty in the forestry legislation to achieve consistency.

The fourth category of amendments relates to simplifying commercial activity permit requirements in the Forestry Act and the Recreation Areas Management Act. When conducting commercial activities on protected areas, state forests and recreation areas, businesses are required to hold a commercial activity permit. This allows the activities to be effectively managed to avoid conflicts with other visitors such as overcrowding and generates a financial return to the state from the use of these state assets.

As part of this government's continued pursuit of reducing red tape for the community through streamlining legislative and administrative processes, this bill will simplify arrangements by introducing a simple renewal process for commercial activity permit holders. Currently, there is no ability to renew a commercial activity permit. Instead, when a commercial activity permit expires a new application must be lodged and a new assessment must occur even when the permit activities remain the same. This wastes valuable commercial operators' and departmental resources' time. The bill will remedy this situation by inserting new provisions to enable renewals to occur.

This bill will also remove the need for people undertaking commercial filming and photography on state forests to obtain a permit where there are fewer than 10 people and no structures involved in the activity. This is yet another example of this government's commitment to simplifying access to state forests and reducing red tape.

The fifth and final category of amendments is miscellaneous provisions to clarify and improve the operation of the Forestry Act. Some of these amendments include:

- allowing officers to produce identity cards instead of their letter of appointment;
- allowing for a warrant granted to a forest officer to be exercised by another forest officer;
- increasing the term of stock grazing permits from seven to 10 years to be consistent with the Nature Conservation Act 1992;
- amending the definition of 'recreational purposes' to include recreational services provided to forest users by a business; and
- include provisions allowing users to book a campsite over the phone or online.

This bill will improve the administration and management of forest areas and continue with this government's aim of reducing red tape and simplifying access to forests and other lands managed by the Queensland Parks and Wildlife Service. I commend the bill to the House.

First Reading

Hon. SL DICKSON (Buderim—LNP) (Minister for National Parks, Recreation, Sport and Racing) (4.48 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 Health and Community Services Committee

Mr DEPUTY SPEAKER (Mr Watts): Order! In accordance with standing order 131, the bill is now referred to the Health and Community Services Committee.

Portfolio Committee, Reporting Date

Hon. SL DICKSON (Buderim—LNP) (Minister for National Parks, Recreation, Sport and Racing) (4.49 pm): by leave, without notice: I move—

That under the provisions of standing order 136 the Health and Community Services Committee report to the House on the Forestry and Another Act Amendment Bill by 26 May 2014.

Question put—That the motion be agreed to.

Motion agreed to.