

~~This amendment is in line with the committee's recommendation that the transition period be reduced to ensure that tenants who have very old listings are not unduly disadvantaged in having the listing removed. It will not prevent tenants from applying to the tribunal to have old listings removed during this transition period. It would also encourage listing persons, such as agents and landlords, to be proactive in removing dated listings.~~

~~Amendment agreed to.~~

~~Clause 34, as amended, agreed to.~~

~~Clause 35~~



~~Mr de BRENNI (8.09 pm): I move the following amendment~~

~~6 Clause 35 (Amendment of sch 2 (Dictionary))~~

~~Page 51, line 9, '457'~~

~~omit, insert~~

457A

~~This amendment amends a reference in clause 35 of the bill about the definition of 'lessor' in the tenancy database provisions of the RTRA Act in order to correct a minor drafting error.~~

~~Amendment agreed to.~~

~~Mr de BRENNI: I move the following amendment~~

~~7 Clause 35 (Amendment of sch 2 (Dictionary))~~

~~Page 51, line 14, '457'~~

~~omit, insert~~

457A

~~This amendment amends a reference in clause 35 of the bill about the definition of 'tenant' in the tenancy database provisions of the RTRA Act in order to correct a minor drafting error.~~

~~Amendment agreed to.~~

~~Clause 35, as amended, agreed to.~~

~~Clause 36, as read, agreed to.~~

~~Schedule, as read, agreed to.~~

### **Third Reading**



~~Hon. MC de BRENNI (Springwood ALP) (Minister for Housing and Public Works) (8.10 pm): I move~~

~~That the bill, as amended, be now read a third time.~~

~~Question put That the bill, as amended, be now read a third time.~~

~~Motion agreed to.~~

~~Bill read a third time.~~

### **Long Title**



~~Hon. MC de BRENNI (Springwood ALP) (Minister for Housing and Public Works) (8.11 pm): I move the following amendment~~

~~8 Long title~~

~~Long title, after 'Act 1991'~~

~~insert~~

~~, the Queensland Building and Construction Commission and Other Legislation Amendment Act 2014~~

~~Amendment agreed to.~~

~~Question put That the long title of the bill, as amended, be agreed to.~~

~~Motion agreed to.~~

## **VEGETATION MANAGEMENT (REINSTATEMENT) AND OTHER LEGISLATION AMENDMENT BILL**

## Introduction



**Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (8.13 pm): I present a bill for an act to amend the Environmental Offsets Act 2014, the Sustainable Planning Act 2009, the Vegetation Management Act 1999 and the Water Act 2000 for particular purposes. I table the bill and the explanatory notes. I nominate the Agriculture and Environment Committee to consider the bill.

*Tabled paper:* Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016.

*Tabled paper:* Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016, explanatory notes.

Today is an important day for Queensland. Today we begin the process of bringing back Queensland's nation-leading tree-clearing laws. From the outset, I wish to place on record my deep appreciation to the Minister for State Development and Minister for Natural Resources and Mines and the Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef for their deep engagement and extensive work in relation to bringing these bills before the House.

The introduction of this bill into parliament has not been a secret. So it should not come as a surprise to anyone. It was a very clear election commitment of the Palaszczuk government. In November 2015, I announced that our government would introduce a bill into parliament in the first quarter of 2016. Today, we fulfil this promise to the people of Queensland.

After a few short years in charge of this state, the LNP wreaked havoc. The slash-and-burn mentality of the LNP set Queensland back 15 years and under its watch tree-clearing rates in Queensland escalated. What did the LNP do about the increase in clearing rates? It made it easier to clear.

The Palaszczuk Labor government today takes an important step in redressing the balance to ensure that responsible landholders can still make a living from the land while, importantly, our native vegetation is protected for future generations.

This bill will reinstate key components to the Vegetation Management Act that were trashed by the Newman government. The bill will reinstate the regulation of clearing of 1.18 million hectares of high-value regrowth on freehold and Indigenous land. High-value regrowth is mature regrowth that has not been cleared since 31 December 1989. That is regrowth that has had 25 years to grow and form regional ecosystems that contribute to the biodiversity of this state, regrowth that prevents sediment from being washed out into our reef and regrowth that absorbs carbon dioxide from our atmosphere.

Late last year we saw the Commonwealth government go to Paris and sign up to an agreement aimed at significantly cutting greenhouse gas emissions. The question now is: will the LNP here in Queensland sign up and agree to this bill, or will it continue to go against the rest of the world, against the wishes of the Turnbull federal government, and deny that global warming is happening?

This bill also removes the ability to apply for high-value and irrigated high-value agricultural clearing. Broadscale clearing of remnant vegetation has been prevented by previous Labor governments since 2006. Despite the doom and gloom pedalled by the Liberal National Party here in Queensland, agricultural production did not stop. Landholders continued to produce high-quality produce for us and the rest of the world that Queensland is renowned for and our biodiversity, our reef and our climate were much better off.

This changed in 2013, when the Liberal National Party let the bulldozers run free again. One permit alone allowed for clearing of 300 square kilometres of remnant vegetation on Cape York Peninsula in a Great Barrier Reef catchment for untested crops. To give members an idea of the scale of this destruction, the clearing area would be three kilometres wide, stretching from Brisbane to the New South Wales border.

At the same time as clearing was escalating, the requirements to offset cleared vegetation were reduced. Another component of reinstating a responsible vegetation management framework is meaningful environmental offset requirements to compensate for the loss of significant values, such as threatened regional ecosystems. This bill will, therefore, introduce amendments to the Environmental Offsets Act 2014 to commence reinstatement of offset requirements and ensure adequate conservation outcomes for all impacts on our state's significant environmental values.

In response to the needs of industry, the bill and amendments to the Environmental Offsets Regulation will enable standardisation of offset delivery by enabling use of the Queensland offset account and legal scrutiny mechanisms for Commonwealth offset requirements.

This bill also reaffirms the Palaszczuk Labor government's commitment to protect the Great Barrier Reef by extending the protection of regrowth vegetation along watercourses in all reef catchments. Protection of regrowth vegetation along watercourses in the Burdekin, Mackay-Whitsundays and Wet Tropics catchments have been in place since 2009. This bill will extend protections to watercourses in the Burnett-Mary, Eastern Cape York and Fitzroy catchments. A key action of the Reef 2050 Long-Term Sustainability Plan, also known as the Reef 2050 Plan, is to strengthen the Queensland government's vegetation management legislation to protect remnant and high-value regrowth native vegetation including in riparian zones. The Reef 2050 Plan was developed by the Queensland and Commonwealth governments acknowledging the action required to ensure our reef does not become endangered.

When these provisions are considered in detail it will be interesting to see if the LNP here in Queensland really do want to protect the reef as their federal counterparts have agreed to. I want to make it very clear that the Palaszczuk government will honour the certainty that category X areas on property maps of assessable vegetation, or PMAVs, provides landholders. Landholders with existing category X areas prior to the introduction of this bill will be unaffected by the changes contained in this bill.

This bill will also address some of the offence provisions that were removed in 2013. The bill will reinstate the provision that makes the landholder responsible for unlawful clearing on their land. Unlawful clearing is often detected using satellite imagery. Similar to red light and speed camera traffic offences, the landowner is considered to have undertaken the clearing on their land unless he or she is able to provide evidence to the contrary.

**Opposition members** interjected.

**Mr DEPUTY SPEAKER** (Mr Elmes): Order! Those members on my left—there are a number of you, particularly the member for Nanango—who are making interjections that are not helping proceedings at all, if you feel the need to make an interjection please do it, but do it in a smart way and make sure that it is pertinent.

**Ms TRAD:** The bill will also remove the ability of a person who unlawfully clears to claim that they made a mistake as their defence. The Vegetation Management Act has been in place for over 15 years now and given the amount of information and assistance available this is a reasonable approach. This bill also seeks to manage the potential for panic clearing and an increase of applications for clearing and PMAVs.

**Ms Simpson** interjected.

**Mr SPEAKER:** Member for Maroochydore, those comments are totally inappropriate. I ask you to withdraw.

**Ms SIMPSON:** Under what standing order, Mr Speaker?

**Mr SPEAKER:** Disorderly conduct.

**Ms SIMPSON:** I withdraw.

**Mr Cripps** interjected.

**Mr SPEAKER:** Member for Hinchinbrook, I do not need your assistance or you will be warned as well.

**Ms TRAD:** The bill is proposing that some provisions will be applied retrospectively from today. The bill does not impose retrospective criminal liability on people who clear vegetation that is to be protected by the bill between today, 17 March 2016, and the bill's assent. Instead, the bill proposes that landholders who clear this vegetation between these dates and where the clearing is not expressly allowed will be required by the Department of Natural Resources and Mines to restore equivalent environmental outcomes guided by the Environmental Offsets Act and policy.

**Opposition members** interjected.

**Mr SPEAKER:** I give all members notice that I want to listen to the Deputy Premier in silence. I am not going to tolerate simply disruptive comments from anywhere in the chamber.

**Ms TRAD:** However, landholders will be able to clear during this period where the clearing is consistent with an existing self-assessable vegetation clearing code or relevant exemption or where they have received a high-value agriculture and irrigated high-value agriculture clearing approval prior to today. This bill will not affect a landholders' ability to apply for a development application where it does not involve the clearing for high-value agriculture and irrigated high-value agriculture or the

conversion of an area to category X where it does not involve vegetation proposed to be regulated under this bill.

The government believes that the retrospectivity of elements within this bill are necessary as the interests of the public as a whole outweighed the interests of an individual in this case. Without these provisions for the commencement of the bill there is a clear threat of pre-emptive clearing. To ensure that landholders are fully informed of their obligations relating to the retrospective elements of this bill, information on the implications of this bill will be made available on the Department of Natural Resources and Mines website. Landholders will also be able to enter their property details online to obtain mapping of the areas proposed to be regulated and this information will continue to be free of charge.

Finally, this bill will address yet another attack by the Liberal National Party on one of the most sensitive parts of our environment. The bill will reinstate the requirement to obtain a riverine protection permit to destroy vegetation in watercourses under the Water Act. When this provision was removed in 2013 it removed regulation over the clearing of native vegetation in many watercourses all over Queensland. Without the retrospective provisions contained in this bill there would have been a very real threat of panic clearing. The government understands the uncertainty that retrospectivity creates for everyone and accordingly believes that this period should be kept as short as possible. Urgent action is also required to give our reef the best chance of long-term survival.

The Reef 2050 Plan and the Great Barrier Reef Report Card 2014 have identified that the rate of loss of riparian vegetation in the Great Barrier Reef catchments has increased. This needs to be addressed immediately. In 2013 Queensland was Australia's highest carbon emitting jurisdiction, producing one-third of the nation's emissions. A high proportion of Queensland's emissions are directly related to land clearing. Queensland needs to contribute its share to reducing carbon emissions sooner rather than later.

The Statewide Land Cover and Tree Study, better known as SLATS, which is conducted by the Department of Science, Information Technology and Innovation, has also shown alarming increases in tree clearing rates. We simply cannot allow this to continue. This bill restores the right balance between protecting vegetation that plays a critical role in maintaining healthy and sustainable ecosystems while not diminishing the ability of our agricultural sector in this state to expand and flourish. I commend the bill to the House.

### First Reading

**Hon. JA TRAD** (South Brisbane—ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (8.27 pm): I move—

That the bill be now read a first time.

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

**AYES, 43:**

**ALP, 41**—Bailey, Boyd, Brown, Butcher, Byrne, Crawford, de Brenni, Dick, Donaldson, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lynham, Madden, Miles, Miller, O'Rourke, Palaszczuk, Pearce, Pease, Pegg, Pitt, Power, Russo, Ryan, Saunders, Stewart, Trad, Whiting, Williams.

**INDEPENDENT, 2**—Gordon, Pyne.

**NOES, 43:**

**LNP, 41**—Barton, Bates, Bennett, Bleijie, Boothman, Costigan, Cramp, Crandon, Cripps, Davis, Dickson, Elmes, Emerson, Frecklington, Hart, Krause, Langbroek, Last, Leahy, Mander, McArdle, McEachan, McVeigh, Millar, Minnikin, Molhoek, Nicholls, Perrett, Powell, Rickuss, Robinson, Rowan, Seeney, Simpson, Smith, Sorensen, Springborg, Stevens, Stuckey, Watts, Weir.

**KAP, 2**—Katter, Knuth.

Pair: D'Ath, Walker.

The numbers being equal, Mr Speaker cast his vote with the ayes.

Resolved in the affirmative.



**Mr SPEAKER:** Members, the reason for this position is as follows: on Monday, I met with representatives from AgForce, including President Grant Maudsley and CEO Charles Burke. During that meeting I asked about the roundtable consultation process on vegetation management. I was advised that AgForce was pleased to participate, but that the roundtable process was not able to progress because environmental groups refused to participate unless the government brought in a

moratorium on tree clearing. I am disappointed the environmental groups that were invited to take part refused to participate. I do not support or condone what I consider to be blackmail tactics.

AgForce told me they had seen the proposed legislation and they had several suggestions for improvements to some of the clauses in the bill. We spoke about the bill being referred to a committee and AgForce indicated it was willing to participate in the committee process and was already anticipating preparing a submission to the committee. I have also met with environmental groups regarding vegetation management and understand that some of those groups have indicated that they have also seen the bill and have had discussions about it. I understand they are also preparing their case for the anticipated committee hearing.

I consider this vote an attempt to bypass our committee system. There has been no case put to me to justify the urgency, apart from political opportunism, and this matter was canvassed in an exchange of letters between the then Leader of the Opposition, Annastacia Palaszczuk, and myself on 5 February last year. I believe the bill should be referred to the committee to give stakeholders the opportunity to present their cases and suggestions on how they think the bill can be improved.

I make it very clear that my support for the committee to investigate this bill cannot be interpreted as support for the bill. I have spoken on the issue of vegetation management in parliament in the past and my position on this bill will be determined after I have had the opportunity to consider the committee's report and the many arguments that I am sure will be made in the course of the consideration of the bill.

Bill read a first time.

### Referral to the Agriculture and Environment Committee

**Mr SPEAKER:** Order! In accordance with standing order 131, the bill is now referred to the Agriculture and Environment Committee.

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

~~**Hon. JA TRAD** (South Brisbane ALP) (Deputy Premier, Minister for Infrastructure, Local Government and Planning and Minister for Trade and Investment) (8.35 pm), by leave, without notice: I move —~~

~~That under the provisions of standing order 136, the Agriculture and Environment Committee report to the House on the Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016 by 15 April 2016.~~

~~**Mr CRIPPS** (Hinchinbrook LNP) (8.36 pm): I rise to oppose the motion moved by the Deputy Premier because the House should not accept the restricted time frame made available for the consideration of this bill given the extensive, serious and punitive nature of the amendments proposed in it. There is an inadequate period of consultation proposed in the motion moved by the Deputy Premier because of the scope and the magnitude of the bill.~~

~~For the benefit of the members present, I will briefly outline some of the provisions of this bill and the reasons why the period that has been made available in this motion is not satisfactory for consideration by the relevant committee. I make it clear to the House that this bill does not contain only a reversal of the amendments to the vegetation management framework that was put in place by the LNP in 2013. This bill goes further. This bill is more punitive, more restrictive and impinges on more property rights of more landowners in Queensland than the vegetation management framework prior to the amendments put in place by the LNP in 2013. I will now outline to the House those initiatives as outlined in the bill, which I have had a very short period to consider. Not only do the amendments proposed in the bill —~~

~~**Mr HINCHLIFFE:** I rise to a point of order. I have been giving the member for Hinchinbrook a bit of latitude to frame his case, but he is now referring directly to the contents of the bill. This is a debate that relates to the committee reporting process and the timing of the committee reporting process. Mr Speaker, I ask you to make sure that you keep the member for Hinchinbrook speaking to the matter before the House, rather than anticipating debate.~~

~~**Mr SPEAKER:** I believe that the member for Hinchinbrook should be entitled to speak to the reasons why he wants to vote against this motion. I am prepared to allow him to continue.~~

~~**Mr CRIPPS:** As I was saying, I am speaking to the reasons why the relevant committee will need more time than has been made available by the Deputy Premier in her motion and it is because of the scope and the magnitude of the bill. As I said a moment ago, it is not true that this bill simply reverses the changes that were made in 2013. For example, in relation to the category R vegetation restrictions,~~