



STATE DEVELOPMENT AND REGIONAL INDUSTRIES COMMITTEE

Members present:

Mr CG Whiting MP—Chair

Mr MJ Hart MP

Mr RI Katter MP

Mr JE Madden MP

Mr JJ McDonald MP

Mr TJ Smith MP

Staff present:

Ms S Galbraith—Committee Secretary

Mr B Smith—Assistant Committee Secretary

PUBLIC BRIEFING—INQUIRY INTO THE NATURE CONSERVATION AND OTHER LEGISLATION AMENDMENT BILL 2022

TRANSCRIPT OF PROCEEDINGS

MONDAY, 14 MARCH 2022

Brisbane

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The committee met at 10.20 am.

CHAIR: Good morning. I declare open this public briefing for the committee's inquiry into the Nature Conservation and Other Legislation Amendment Bill 2022. My name is Chris Whiting, member for Bancroft and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past, present and emerging. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander people, whose lands, winds and waters we all share. With me here today are: Mr Jim McDonald, deputy chair and member for Lockyer; Mr Michael Hart, member for Burleigh; Mr Jim Madden, member for Ipswich West; Mr Tom Smith, member for Bundaberg; and Mr Robbie Katter, member for Traeger.

This briefing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the briefing at the discretion of the committee.

I remind committee members that officers are here to provide factual or technical information. Any questions seeking an opinion about policy should be directed to the minister or left to debate on the floor of the House. These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Finally, please turn your mobile phones off or to silent mode.

COLMAN, Ms Julie, Principal Planning Officer, Wet Tropics Management Authority, Department of Environment and Science

HERSE, Ms Karalyn, Manager, Conservation Policy and Planning, Environmental Policy and Programs, Department of Environment and Science

KELLY, Mr Todd, Manager, Parks and Forest Policy Unit, Protected Area Strategy and Investment, Queensland Parks and Wildlife Service and Partnerships, Department of Environment and Science

KLAASSEN, Mr Ben, Deputy Director-General, Queensland Parks and Wildlife Service and Partnerships, Department of Environment and Science

CHAIR: Welcome. Mr Klaassen, I invite you to make an opening statement, after which we will have some questions for you.

Mr Klaassen: I thank the committee for inviting us here today to provide this briefing. I also acknowledge the traditional owners of the lands on which we are gathered today and acknowledge elders past, present and emerging. I also acknowledge our colleagues from the Queensland Beekeepers' Association who are in the public gallery today—Jacob and Jo. Thank you for your interest in the bill.

The Nature Conservation and Other Legislation Amendment Bill 2022 addresses five separate outcomes. To assist with the committee's consideration, I will provide a brief outline of each of these matters. The first outcome to be delivered by the bill is to allow beekeeping activities in certain national parks to continue until 31 December 2024.

As background information for this amendment, commercial beekeeping occurs in a number of national parks as a consequence of past transfers of state forest to national parks which occurred predominantly in the early 2000s. Commercial beekeeping activities involve beekeepers utilising tracks and trails to transport hives of non-native European honey bees to designated locations known as apiary sites within the parks.

Commercial beekeeping is inconsistent with the management principles for national parks in the Nature Conservation Act 1992, which requires that national parks be managed, to the greatest possible extent, for the permanent preservation of the natural condition and the protection of the cultural natural resources. However, to support implementation of the land transfers of state forest to national park, the Nature Conservation Act was amended to allow beekeeping to continue to be authorised on certain national parks until 31 December 2044. This transitional provision was inserted to minimise disruption to the beekeeping industry from the state forest transfers or providing time for relocation of beekeeping to other sites.

Relocating beekeeping out of parks to other lands is complex, and new work has commenced to further investigate this and other matters. In recognition of the approaching loss of access to national park sites in 2024 and the detrimental impact this would have on the supply of honey bee products and crop pollination services provided to the horticulture industry, the government committed to extending the access to national parks while beekeeping was an existing use. This extension will enable beekeeping to continue on these lands until 31 December 2044, providing security to the industry. The department will work with industry and stakeholders to develop an industry best practice for beekeeping on parks and identify initiatives that may assist the industry to relocate off park in the future.

To achieve the extension of this time, the bill creates new provisions that enable beekeeping to continue until 31 December 2044 while simplifying the authorising framework. This will occur by establishing a single method for authorising beekeeping by formally prescribing apiary sites in regulation, after which beekeepers can apply for permits in the same way that they currently do, meaning no operational change for the industry.

Furthermore, the amendments will also provide for any land that may be added to the protected area estate in the future to be prescribed as an apiary area where beekeeping is a pre-existing use. The new framework for managing the extension of beekeeping was consulted on with the Queensland Beekeepers' Association as part of the process in developing the bill. The Queensland Beekeepers' Association supports the arrangements in this bill.

The second matter addressed by the bill is to enhance the Department of Environment and Science's capacity to respond to instances where people engage in misconduct in Queensland Parks and Wildlife Service managed areas by either impersonating a ranger or obstructing appointed officers in the exercise of their functions. These changes apply to areas such as state forests, marine parks, recreation areas and national parks.

Unfortunately, there have been a number of recent examples where visitors to national parks have had negative interactions with people holding themselves out to be rangers and behaving in a disreputable or threatening manner. Such actions have a detrimental impact on visitors and tarnish the reputation of the government and its employees—in this case, the genuine rangers who work hard to give visitors an enjoyable experience when they visit places like national parks. This risk can be seen as being greater when one considers the key role of rangers in helping to manage public safety in these areas.

Consequently, the bill will insert a new offence for impersonating a forest officer in the Forestry Act 1959 and new offences for impersonating a ranger in the Forestry Act, the Marine Parks Act 2004, the Recreation Areas Management Act 2006 and the Nature Conservation Act. Separate amendments are also being made to better address circumstances where an officer specifically appointed to exercise compliance powers on lands and waters managed by the Queensland Parks and Wildlife Service is obstructed.

The existing offences for obstructing appointed Queensland Parks and Wildlife Service officers under the Marine Parks Act, the Nature Conservation Act and the Recreation Areas Management Act apply to obstructing an officer in the exercise of a power under these acts. The bill will specifically insert in these acts the functions of such officers and expand existing offences so they also apply to obstructing appointed officers in the performance of a function under the relevant act.

This amendment will deliver consistency across legislation used by Queensland Parks and Wildlife Service officers to manage the lands and waters for which they are responsible by making it an offence for a person to obstruct them while performing their functions. There is already an offence for obstructing a forest officer when performing their duties under the Forestry Act, and it can be the same individual appointed to multiple authorised officer positions working in forests, national parks, recreation areas and marine parks. It is important to have consistent legislative provisions aimed at protecting staff from obstruction when doing their jobs.

The third matter addressed by the bill is to relocate a number of provisions from the subordinate legislation to the Nature Conservation Act to meet contemporary drafting standards. As a result of the statutory review process of expiring subordinate legislation which was completed in 2020, a number of administrative processes and seizure provisions were identified as more appropriately located in the Nature Conservation Act. The relocation of these administrative provisions will continue the existing ability for affected persons to apply for internal reviews of decisions, retain existing arrangements to refer matters to the Queensland Civil and Administrative Tribunal and maintain the chief executive's ability to approve forms for use under the Nature Conservation Act.

The transfer of seizure powers and requirements for dealing with seized things will continue a conservation officer's existing ability to immediately respond to matters in order to protect natural and cultural resources, preserve public safety or provide for appropriate management of protected areas. It is important to emphasise that relocating these provisions from the subordinate to the primary legislation does not change existing policy or introduce new provisions under the Nature Conservation Act. It is simply a reform process to meet contemporary drafting standards, remove regulatory duplication and simplify the application of functions under the Nature Conservation Act.

Consequential to the relocation of seizure provisions from the subordinate legislation to the Nature Conservation Act, the bill also amends the State Penalties Enforcement Regulation 2014 to update referencing to penalty infringement notice offences for tampering with seized things.

The fourth matter addressed by the bill updates the Wet Tropics World Heritage Protection and Management Act 1993 to respond to changes by the Commonwealth to intergovernmental arrangements between the Commonwealth and the state. The Wet Tropics ministerial council was abolished during the national cabinet reform. All references to 'ministerial council' in the Wet Tropics act will be replaced to reflect the contemporary arrangements.

The opportunity is also being taken to replace the outdated version of the management scheme intergovernmental agreement by removing it from schedule 1 of the act and instead referencing the current version. The bill will also simplify the process for amending subordinate legislation to the Wet Tropics act by allowing consequential amendments to be undertaken by Governor in Council without the need to seek public submissions or approval from the ministerial council.

The final matter dealt with by the bill is to correct several minor errors. Numbering inconsistencies and omissions will be corrected in the Wet Tropics act. A spelling error and a missing cross-reference to another section will be corrected in the Nature Conservation Act.

In summary, the primary purpose of the bill is to provide an extension of time for existing beekeeping activities on national parks to 31 December 2044, enhance and clarify offences for misconduct in Queensland Parks and Wildlife Service managed areas, relocate subordinate legislation to the Nature Conservation Act to reflect contemporary drafting practices, reflect changes to intergovernmental arrangements and correct several minor errors. Thank you for the opportunity to appear before the committee today. We will be happy to take any questions the committee may have.

CHAIR: Thank you very much, Mr Klaassen. We note that work is commencing or has commenced to identify alternative sites for beekeeping that are outside national parks. What work has the department done to help identify or to secure those alternative locations?

Mr Klaassen: Back in the early 2000s, when the last lot of state forest transfers were done, a process was set up with what is now the Department of Agriculture and Fisheries—they might have had a different name back then—to have a group that tried to identify sites that beekeepers could use, either other state lands that are not protected under the Nature Conservation Act or private lands that might be able to be used where they have appropriate vegetation. That work, while it was progressing, is not as simple as just going out and finding a site. There are certain requirements that the beekeepers need in order to have productive hives. National parks at the moment have the conditions that do suit that.

We are going to have another look at it to see if there are other options, obviously negotiating with private landholders. You also have other competing uses for agricultural purposes or other private purposes and you have to manage access arrangements for how you get in and off the land for beekeepers as well. A range of factors were considered.

We did not identify a huge number of sites for moving the large number of apiary sites off national parks. What we have decided to do is set up a working group that is internal to government. We are working closely with the Queensland Beekeepers' Association. We will see what we can do to find alternative sites, noting that there are certain conditions that need to be met.

CHAIR: How long has that working group been set up? Is that a recent innovation or has it been ongoing for some years?

Mr Klaassen: There have been regular working groups, but the most recent one—Todd, can you comment on that?

Mr Kelly: The first meeting of that working group was held in November last year. There have been, I think, three meetings of that group since it was established.

CHAIR: I am asking because we have known that this has been an issue for some years, and we are looking to identify where we can help prompt that process along. We will address it as a committee. One of the other issues I wanted to talk about was the powers of the park rangers. The new powers that will be addressed by this bill are about impersonating an officer. Are there similar protections for fisheries, forestry or marine park officers? Is it going to cover all of those? Do those powers already exist?

Mr Klaassen: No. It will not cover fisheries. We are not talking fisheries; we are talking marine parks, state forests, national parks and recreation areas. A ranger can be authorised to operate under all four of those acts. The bill will ensure there are consistent powers for an officer when they are exercising their power under each of those acts.

CHAIR: Are there similar laws—impersonating a police officer is one that comes to mind? Are they broad powers across government? The only example I can think of is police and corrections officers. It seems like a fairly new addition to the powers of officers of your department.

Mr Kelly: As you have identified, there are similar powers for police and corrections officers. The powers for rangers are in response, as Mr Klaassen identified, to a number of recent examples where we have had circumstances where rangers have been impersonated by non-rangers and that has caused problems for visitors. The provisions are covering a gap, essentially. It is already an offence for someone to impersonate an authorised officer under this legislation. We have rangers who are appointed as authorised officers to exercise the powers under the act. This new amendment covers rangers who are not appointed as authorised officers and captures the relationship that rangers have in the community. People see them as a person of guidance and authority and generally take instruction from someone who identifies themselves as a ranger. At the moment in circumstances where that has happened there is no power to have that be an offence.

Mr HART: Does that power only apply to sworn officers at the moment?

Mr Kelly: Authorised officers, yes.

Mr HART: As far as policemen are concerned, they are sworn officers. Impersonating a sworn officer would be illegal as such. Are you extending that?

Mr Kelly: I am not completely across the detail of how the police officer offences work. The current arrangements under the Nature Conservation Act and our other legislation that Mr Klaassen has referred to do apply to officers appointed by the minister as authorised officers at the moment.

CHAIR: I note that there are a number of different parks and natural areas that are jointly managed with First Nations people up north—for example, under the Looking after Country Grant program. The explanatory notes state—

The definition of ranger in the offence means that people authorised under one of these or any other arrangement entered into by or for the State are not captured by the offence when performing functions consistent with the agreed arrangements.

That is a little imprecise. Some people working in those programs may be employed seasonally. There may be times when they are not working in those programs. They are only covered during the times when they are employed, when they have a specific employment period. Would that be correct?

Mr Klaassen: When they are engaged as a ranger and performing the functions of a ranger.

CHAIR: There might be times—for a year or six months or so—when they are not employed as a ranger. If they take an action as a ranger in that case, they are not going to be covered by this legislation. They could effectively be taken to task for impersonating an authorised officer.

Mr Klaassen: Potentially if they are not engaged and employed by us as a ranger and they are exercising powers as a ranger, yes, they could fall within the scope. What we will do in any situation with this particular provision is investigate if we get a complaint from a member of the public. The examples we tend to get are: you have turned up at a location, you have your site booked, it is the best site at the location, then someone turns up and says, 'I'm ranger Klaassen. You're in my spot. Move on,' but I am not an actual ranger.

Mr HART: That happens, does it?

Mr Klaassen: Yes, it does happen. People are using the powers that a ranger can have to gain personal advantage by either getting a better site or asking people to move on from locations where they want to have privacy. People do interesting things. That is largely what this bill is about. It is to give us some ability to investigate. If the facts stand up and we can prove through witness statements and evidence that someone has inappropriately exercised a power then they should be held to account for, in effect, taking away from someone else's experience by not exercising the power that they should be able to.

Mr HART: Who will have the power to investigate a charge in that circumstance?

Mr Klaassen: I believe it is through a court process.

Mr Kelly: Yes.

Mr Klaassen: It is through the courts. We have to do an investigation and build our case of evidence. Then we have to go to the court to meet a standard of proof that says, 'Yes, that person has exercised this power.' Then there will be an appropriate process to determine whether we are able to prove that beyond reasonable doubt.

Mr McDONALD: Would it not be better to have a ticketable offence or similar for that, rather than going through a complaint and summons process or warrant? That would be very cumbersome for the officers.

Mr Klaassen: It is, but it is a serious power so you need to have appropriate investigation and evidence to back it up. Mr Kelly can probably comment on why we did not go with the PIN example, because that would have been considered.

Mr McDONALD: I would be interested to know.

Mr Kelly: Yes, we did have a look at that as an option. The reason we went down the track that we have is that the similar offence for impersonating an appointed authorised officer is similarly a court imposed penalty. We wanted to achieve consistency.

Mr McDONALD: Wouldn't it have been better to bring both forward to have an infringement notice option? From my background in policing and also understanding the cumbersome nature of enforcement in parks at the moment, having a PIN for the officers is greatly appreciated. I think it would be a great recommendation to see that happen for both of those offences.

CHAIR: That might be a big leap. Did you want to follow that up with a question on notice perhaps outlining the process of why you considered this and why you did not go down that path? That might be government policy, though.

Mr McDONALD: That could be a recommendation from the committee.

CHAIR: Let us get some more information. Is it possible if we ask a question on notice about why you did not go down that path of being able to issue a PIN immediately?

Mr Klaassen: Sure. We will take that on notice.

CHAIR: We will clarify that at the end. To clarify what I was talking about before, you have non-statutory officers who work in a less formal manner or do not have a formal appointment; am I right? What is the difference between them and authorised officers?

Mr Klaassen: An authorised officer has gone through specific training to ensure they can appropriately exercise the powers they get provided under all the various legislation. To be authorised to exercise the powers, you need to be trained. The main difference is that an authorised officer is trained; they are skilled. If you are a new ranger and you have not had your training you basically cannot exercise various powers under the legislation. That is the main difference.

CHAIR: You have authorised and non-statutory rangers; is that right?

Mr Klaassen: I think non-statutory would just be a ranger who has not had their authorised officer training.

CHAIR: That could be someone working at an information booth or a kiosk.

Mr Klaassen: A new person who has not gone through the training course they have to go through. I think we have about 600 authorised officers out of the 800-odd rangers that we have.

Mr HART: Is this the inspector that the explanatory notes talk about? Is that the authorised officer?

Mr Kelly: Yes, that is right. They have slightly different terminology across the different acts. It is an inspector under the Marine Parks Act, a conservation officer under the Nature Conservation Act, a forest officer under the Forestry Act, an authorised officer under the RAM Act.

CHAIR: I will go to other questions, but I will come back to those officers that are employed in joint management.

Mr McDONALD: Thank you very much for the presentation this morning. In regards to the extension to 2044, how does that impact on the apiarist's permit? What are the arrangements? How do they fit, change or be continued?

Mr Klaassen: There is a process that an apiarist goes through to apply for a permit. I think five years is the maximum term at the moment. That process will continue, where they basically reapply when their permit is expiring and, subject to meeting the necessary conditions and them ensuring they are meeting their conditions, the permits are assessed and they can be extended for up to five years.

Mr McDONALD: Through your opening address and then also in relation to a question from the chair, you mentioned the moving of apiarists to other lands apart from national park. Is that a policy position of the department, that you are looking to see those apiarists removed from national parks?

Mr Klaassen: As I said, it is inconsistent with the management principles for national parks to have active beekeeping on the parks. Over time the preference is that the number of sites will go down, but there is a process that we have set up to work that through. Over time we would like to see the number go down.

Mr McDONALD: Why is that? Who determined that?

Mr Klaassen: The parliament sets the law in terms of the management principles of national parks, the core one of those being the permanent preservation of the natural condition of the national park, and there is an argument that European honey bees are a non-native species and can be inconsistent with national parks. There is an argument there, but that is a policy position that I am not going to be debating here.

Mr McDONALD: I think it would be worthwhile the committee getting some clarification around that.

CHAIR: We would need to write to the minister.

Mr HART: We should have the minister here giving us evidence. It has been done before plenty of times.

CHAIR: We can easily write a letter.

Mr HART: Let us get the minister in and talk to her.

CHAIR: That would be great.

Mr MADDEN: Thank you everyone for coming in today. Mr Klaassen, I want clarification on a few things, particularly about where beehives can and cannot be located. Can beekeepers put beehives in national parks?

Mr Klaassen: If the hives were there before the national park was declared then the beekeeper can be given a pre-existing use to continue the hives in the location they were on before the national park was declared.

Mr MADDEN: I will rephrase that question. Can beekeepers put beehives in national parks that have always been national parks and not forestry land that has been converted into national parks?

Mr Klaassen: No.

Mr MADDEN: We allowed beekeepers to put hives in forestry land.

Mr Klaassen: State forest, yes. There are thousands of hives across state forests.

Mr MADDEN: What percentage of our state hardwood forests have been converted into national parks, approximately? Half?

Mr Klaassen: No, it would not be half.

Mr MADDEN: Ten per cent? A small amount? A few?

Mr Klaassen: I can talk in terms of hectares. There are about 3.4 million hectares of state forest that is still declared as state forest and we have about nine million hectares of national park.

Mr MADDEN: There is nothing to stop beekeepers putting hives on private land?

Mr Klaassen: No. They need to negotiate with the private landholder.

Mr MADDEN: They could put their hives on private land adjacent to national parks?

Mr Klaassen: They could, yes.

Mr MADDEN: There is no problem about that. Those are my questions.

Mr HART: What is to stop the bees going into a national park then?

Mr Klaassen: Nothing.

Mr HART: Can you tell us when the change was made to specify 31 December 2024 as the extended time that people could keep bees in a national park that had been shifted from a state forest? Was that in the 1999 act?

Mr Klaassen: It was linked to the 1999 South-East Queensland forest transfer process, yes.

Mr HART: It has been in place for 25 years. I want to be the devil's advocate here a bit. It has been in place for 25 years and now we want to extend it another 20 years; is that correct?

Mr Klaassen: Yes.

Mr HART: Why don't we just make it perpetual or allow bees into our national parks? Do they really do any damage? I know it is a policy position.

Mr Klaassen: It is a government policy matter.

Mr HART: Why has the department decided to extend it for 20 years rather than just make it perpetual?

Mr Klaassen: I am not going to comment on policy. All I can say is that during the most recent election campaign the government made an election commitment to extend this for 20 years, to 31 December 2044, and the department has been tasked with implementing that election commitment, which is what this bill is about.

Mr HART: If the extension was for 25 years to start with, to December 2024, why did it take so long to start trying to identify alternative sites for bees to be kept? I think Mr Kelly told us that the first meeting was last November; is that correct?

Mr Klaassen: That was recent. There was work done back the 2000s—this is before any of us were actually here—to do some analysis around that, and I think that would be something that the Queensland Beekeepers' Association would be able to provide you with some comment on during your public briefing. They have been involved in those processes.

Mr HART: There have been multiple attempts to find alternative sites?

Mr Klaassen: There have been attempts, yes.

Mr HART: And none have been identified or a few have been identified?

Mr Klaassen: I could not tell you the specific numbers.

Mr HART: Have any been moved from where they were in a new national park to another site?

Mr Klaassen: Sites have certainly stopped being used where beekeepers have decided to hand them back and the site is no longer useful. The numbers are lower than they were at the start.

Mr HART: If area X, for instance, has bees on it, it was a state forest and it has become a national park and an alternative site is found, does that mean that then beekeeping cannot happen ever again on area X? Is that the plan?

Mr Klaassen: To clarify, there is a current location that has been used for beekeeping on a national park and the beekeeper voluntarily surrenders that site to go somewhere else, then technically the site remains available but there would need to be a permit process to assess whether we would grant a new authority for that area or not, but that is a hypothetical question that I cannot really speculate on.

Mr HART: So, being the devil's advocate, we have not thought about what may happen in that case?

Mr Klaassen: The legislation provides the framework that allows beekeeping to continue on the locations where there is pre-existing beekeeping in use. There is a permit framework that wraps around that. You need a permit to do it. That framework would assess the situation you are looking at to say, 'What is the scenario? Who is it? How is it going to work?' and then we will make a decision based on all the facts there.

Mr HART: Are there any special conditions where beekeeping may be allowed to continue in certain areas? One of them is that you cannot find anywhere else for it to happen, but are there any other conditions that may allow it to continue, that are specified by the department?

Mr Klaassen: Can you be more specific? What circumstances are you talking about there?

Mr HART: I am wondering whether the department has identified any other good reason for someone to keep bees in a place the department does not want them to keep bees.

Mr Klaassen: Not to my knowledge, no.

Mr SMITH: How many sites are currently in Queensland's national parks that need to be moved?

Mr Klaassen: There are 49 national parks that currently have beekeeping on them and we have approximately 1,000 apiary sites.

Mr SMITH: They are individual sites?

Mr Klaassen: Yes.

Mr SMITH: Not just the hive itself but an entity of sorts; is that correct?

Mr Klaassen: There can be multiple hives. We talk about a site, but a beekeeper may have multiple hives on a particular site. There are not 1,000 beekeepers. The Queensland Beekeepers' Association will be able to give you the number. I do not know the number.

Mr SMITH: In terms of the industry itself, obviously there are corporate entities. Are there a large number of individual beekeepers on national park grounds or is it pretty much all corporate entities?

Mr Klaassen: I think it is a mix of local family owned businesses that have been doing this for multiple generations. That is probably the largest component. Again, the Queensland Beekeepers' Association would be the experts in their membership and who is doing the beekeeping.

Mr SMITH: Would we in future perhaps be able to get a map of the national parks and where these sites are so that we can have an image for ourselves, or is that something best for the Beekeepers' Association?

Mr HART: They may not want that released.

Mr SMITH: For the committee's confidential use.

CHAIR: That sounds like a big exercise.

Mr SMITH: Or a list?

Mr Klaassen: People do not want people knowing where their sites exactly are.

Mr MADDEN: You can give the national parks, not the sites.

Mr Klaassen: We can give you the list of the national parks. That is in the regulation. That is easily available so we can provide that.

Mr SMITH: I will move very quickly back to rangers. I have some curiosity questions. Are the cases of people impersonating rangers largely anecdotal at the moment? There is not a fine there so they cannot be proven, so are these largely anecdotal complaints?

Mr Klaassen: We have had complaints lodged where members of the public have approached the department to say, 'I was advised by so-and-so, who said they were a ranger, that I had to move out of this site,' and so forth. Because there is no offence, we have not thoroughly investigated those because there is no actual offence to pursue someone.

Mr SMITH: Does the department have on hand the number of complaints about ranger impersonations?

Mr Klaassen: No, we do not have that specific level of information.

Mr SMITH: The maximum penalty is 50 penalty points, which stands at \$6,892. The only difference with impersonating a police officer is six months imprisonment. What scenarios are coming up where someone is impersonating a ranger to the extent that they are likely to be given a maximum penalty of nearly \$7,000?

Mr Klaassen: It is obviously a matter for a court to decide on the level of offence, but the scenarios are there, yes—moving people on from locations and issuing directions for a purported public safety perspective when there is no public safety perspective. In a marine sense, it could be asking someone to move away from a preferred fishing location because that is where you want to fish. There is a range of scenarios, but I could not speculate as to penalty. It would depend on the facts of the matter as to what penalty a court would impose.

Mr SMITH: How did the department come to a maximum of 50 penalty points? Was there discussion with other departments?

Mr Kelly: That is the same penalty unit that is attached to impersonation of an appointed conservation officer.

Mr KATTER: This is a really interesting topic for me. I was approached by people in the industry years ago. It is well out of my electorate and probably will not be influenced by this, but it would appear to me that—for a layperson with this issue, it has not come up yet, but my concern is around the impact this has on agricultural production. I could not rattle it off now, but I found it remarkable when told about the impact of not having bees as opposed to having bees fertilising your crops or pollinating your crops. It was a massive impact. What is pretty clear here is that there is that tension between environmentalists saying, 'We do not want this stuff in national parks,' and you trying to allow something to happen. I see the Department of Environment as the advocate for the environment and the department of agriculture as the advocate for agriculture. I can see the role you are playing in trying to help people who come knocking on your door saying, 'We want to do this.' Does the department have an advocacy role here to ensure that production is maintained with bees? If someone moves off: 'Crikey, let's go and find some more people to put in there'?

As I understand it also, there is a difference between bees being put in a national park and bees being put in a cow paddock, where there is a more homogenous vegetation type. I think there is a strong advantage for that variety to exist in a national park. I guess my question is one of advocacy. Does the department see itself as being an advocate on this to say, 'We do not want to step below this level,' or 'We need to make sure there is some critical mass of apiarists in Queensland,' or effort in that area, rather than just responding to what it happening?

Mr Klaassen: We work closely with the department of agriculture.

Mr KATTER: Notwithstanding this legislation that you are doing, which is clearly helping.

Mr Klaassen: The Department of Agriculture and Fisheries is the primary department that would be responsible for that advocacy work that you have identified. They look after the agricultural interests, and the evidence is there that pollination services provided by bees are very important for agriculture but also for natural areas. The bees do a pollination service. Through the working group, we will continue to discuss the issues as sites either become free or someone decides to move on to a new location, or a beekeeper retires and there is no-one there to pick up the family business. There are a range of scenarios that we will need to work through and the working groups are in place to do that. They have representation across all the stakeholders.

Mr KATTER: I am okay with that, I think, but it is not an empirical measure of saying, 'Well, we are below this amount,' or 'We want to get to this amount to increase productivity.' It is just a more subjective exercise in your working groups, you are saying?

Mr Klaassen: Pretty much, yes.

Mr KATTER: I have one other question to do with disease. I have a constituent in Mount Isa, Scott Sheard, who is really big on his bees and he is on about the American and European foulbrood. That seems to be a big one coming up. Does this legislation in any way seek to address that? I cannot see that it does.

Mr Klaassen: No, it does not.

Mr KATTER: Not that disease, but just generally biosecurity?

Mr Klaassen: That is a matter that Biosecurity Queensland and DAF and beekeepers would need to be talking about, yes.

Mr HART: It is hard to separate the two, but I assume this is about honey, not pollination.

Mr Klaassen: It is about both.

Mr HART: I thought I would ask a Wet Tropics question so that you have an opportunity. Deputy Director-General, in your opening remarks you said something about the changes being made so that we did not need to seek permission to change regulation. Can we get an explanation of exactly what that is about?

Mr Klaassen: Julie, are you happy to answer that one?

Ms Colman: Sure. Where a change has already been made to the act and the change then needs to be followed through into the subordinate legislation, the proposal that we are putting forward is to simplify that process of changing the subordinate legislation. Instead of inviting public submission and taking that matter back to the Minister for Environment, state and Commonwealth, they will have already considered that. If it is worth notifying it would have been notified in the act, so this would simply take it to a Governor in Council approval process for the subordinate legislation.

Mr HART: Are you saying there will be no consultation? It is purely up to the minister to go to Governor in Council?

Ms Colman: The consultation will have already occurred when the change was made in the act. This is only for consequential amendments that are immediately about what has already happened in the act.

CHAIR: The time for this session has expired. We have some questions on notice. I will clarify what I am after as well: how many rangers are engaged by the Indigenous Land and Sea Ranger Program and caring for country, and are they permanent, casual or seasonal?

Mr Klaassen: That is the Indigenous land and sea rangers?

CHAIR: Yes.

Mr Klaassen: It is 154, I think, but I will come back to you with specifics.

CHAIR: My issue is that if they are seasonal or sessional, do they—

Mr Klaassen: Most of them are full-time ongoing employed, but we will get that clarified in detail.

CHAIR: Let's find that one out. The other questions on notice were about options regarding impersonation of a ranger—the process of considering whether it be a PIN, penalty infringement notice, or would go to the courts—and the list of the parks with beekeeping in them. They are the three questions we have on notice. If we can have the answer to those questions on notice by Friday, 25 March?

Mr Klaassen: Certainly.

CHAIR: That concludes this briefing. Thank you for everyone participating today. A transcript of these proceedings will be available on the committee's webpage in due course. I declare this public briefing closed.

The committee adjourned at 11.08 am.