



Speech by

Mr M. ROWELL

MEMBER FOR HINCHINBROOK

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PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL

Mr ROWELL (Hinchinbrook—NPA) (5.28 p.m.): I was a little concerned at the Minister's comments about my obstructionist attitude towards the sugar Bill. I assure the Minister that that is not the case at all.

Mr Nuttall: This is not the sugar Bill.

Mr ROWELL: The member should just cool down a bit. A lot of people had some concerns about the Bill because there were some major changes. I assure the House that in no way did I promote any obstruction in relation to the Bill. I know that there are probably people from my electorate who have been in touch with the Minister to voice their concerns about the Bill, but it was not at my instigation. I want the Minister to be quite clear that that was of their own volition. They had some concerns and they raised them with the Minister. They have a democratic right to do that.

On numerous occasions, I have said that there were important time frames associated with that Bill. I am well aware of them. In fact, we could not debate them here, because we just do not have enough time for that during this session of Parliament. But I want to make it absolutely clear that, whatever the Minister thinks I might have done as far as obstruction of the sugar Bill is concerned, he is totally incorrect. Yes, we have certainly looked at amendments, and so on. But I believe that is the normal process of Parliament, and I do not think that the Minister could regard that as being obstructionist.

This Primary Industries Legislation Amendment Bill is very important. And in the spirit of getting this Bill through the House quickly, I am not going to spend more time than necessary talking about it. However, I want to raise some points in particular. Firstly, I want to talk about mangroves.

There is little doubt that my electorate contains an enormous number of mangroves. The Hinchinbrook Channel contains about 17,000 hectares of mangroves. Further north and south, there are many more thousands of hectares. That strip of coastline is very productive for sugarcane growing. One of the key concerns is that there is access, very often through natural formations, to adequate drainage. That area is in a high rainfall belt. Sometimes it receives in excess of two metres of rain a year. Sometimes—like last year—it gets almost four metres of rain. Many farms suffered considerably through water inundation at an abnormal time of the year—from August to November—rather than from December on when the usual wet season occurs. Events last year threw everything out of kilter, and we were trying to harvest under extremely wet conditions. Farmers were trying to plant. Ratoon sugarcane crops and other crops were affected. It was extremely difficult for many of them to carry out their normal production processes because of those agronomic events.

Many areas are facing a poor crop this year. They are unproductive. We have to look very closely at this. My electorate is an enigma to the rest of the State, because we have to get rid of water whereas a lot of the State is dry and it needs water retention. That is a key issue in this State, particularly in the Tully, Innisfail, Babinda and Ingham areas, where this is a major problem. One of the key requirements is that we have good access to drainage.

The Minister knows full well that the SIIP funding package was a joint venture between the State and Commonwealth Governments whereby something like \$19m was provided for the State of

Queensland. As a result of that process, certain projects were selected for work under the SIIP package. Some involved tram lines, which were very useful. The electorate of Mirani got a tram line over some considerable distance. But in my part of the world, drainage was one of the major considerations. We have the Riversdale-Murray Water Management Scheme at Tully. There are a number of other drainage schemes throughout the State, including two in the southern end of the electorate—the Loder Creek and Mandam Creek drainage schemes.

There has been an exhaustive process of defining where waterways are to go. In one particular case, when I was Primary Industries Minister, I thought it was absolutely ludicrous that some two kilometres of channel was going to be dug to get rid of water from Loder Creek through acid sulfate soil rather than have a revocation of fish habitat of about 280 metres. That would have destroyed very few mangroves and reduced exposure to acid sulfate soil. Commonsense must prevail in these situations. As I said, there are 17,000 hectares of mangroves in the Hinchinbrook Channel, and probably three to six hectares were going to be damaged through a revocation. That applied to the Mandam Creek and Loder Creek drainage schemes. We have to look seriously at these types of things to reduce the impact and achieve the maximum benefits.

Mr Purcell: Hear, hear!

Mr ROWELL: It is good that the member for Bulimba is supporting me on this. The member and I agree on many things.

Mr Palaszczuk: He is on my committee.

Mr ROWELL: Yes. Commonsense should prevail, and that is what I am getting at.

We have mechanisms for treating acid sulfate soil. It is quite possible to do that. If all those things are adhered to, I see no reason not to take a pragmatic view of what is required to be done. We would have had to do it for two kilometres, for goodness' sake! But because it was to go through private property and not through a fish habitat, that is the path that the planners and designers said to take. We have planned these projects to death. People are getting absolutely fed up with this. They are losing money, the State is not getting the benefit of an export income and, as a result, we are all losers. Why can we not get on with the job? Why can we not do things that are good for the nation, that are not going to knock the environment around, but will make things a lot better as far as agronomic procedures are concerned in Wet Tropics areas where drainage is a problem?

Yes, there are certainly codes of practice for canegrowers. When I was involved as the responsible Minister, we were looking at this issue. We need a system whereby the cane protection groups decide that, "Yes, we can do this", and they will give a permit to a grower or sanction the approval of the work to be done. I understand that some restrictions have been imposed in relation to widths of channels and that type of thing. There is nothing wrong with that. That is good. I have no problem with that. But I am talking about areas where we have to reclean drains and undertake a minimum of work. I am not talking about absolute construction work; I am talking about cleaning, which inevitably must be done. When mangroves grow, siltation occurs, and after 10 or 15 years we have a forest of mangroves where silt starts to accumulate, and the ability to drain that area is reduced considerably.

I believe that a code of practice for canegrowers is fine. But the only thing is that there are not just canegrowers along the coastal belt; there are other people. Maybe we can get the canegrowers to undertake the approval process, too. Some could do grazing, some could be involved with horticultural crops, others could be growing melons and pumpkins. Some of those who are close to those areas are growing cucurbit crops. I believe that if commonsense prevails, we will also have a mechanism for all people who have a particular problem with cleaning work and other problems associated with mangroves.

The penalty units in this legislation are horrific. Three thousand penalty units are equivalent to \$225,000. That is a very considerable sum. I do not know whether there is a minimum penalty, but that is the maximum penalty. The briefing that we got from the Minister's staff was very good. But a fine of 3,000 penalty units is a lot for anybody to have to pay. However, I suppose that if the crime that is perpetrated is considered to be that horrific, then the penalty should be very substantial. Of course, people in the fishing industry are very concerned about the removal of mangroves, which are considered important to the fish chain. There is no doubt that we have to be responsible.

I walk alongside the Brisbane River in the mornings, and I see Coke tins, plastic bottles and all the rubbish under the sun in the mangroves. I am sure that the member for Cook, as he trots along there, would see something similar. So I do not think that we can say to one group of people, "You do all the right things", while the City of Brisbane could probably be doing better as far as its mangroves are concerned. Sometimes, where developments occur, mangroves create difficulties.

I can only hark back to the problems at Port Hinchinbrook. There was only a very small amount of mangroves in that area. I would like the Minister to take this particular issue on board.

I turn to the City of Brisbane Market Act, which established the Brisbane Market Authority to maintain a market in Brisbane for the purposes of providing a place to sell and store fruit and vegetables and provide accommodation and facilities for trade and commerce. Section 29 of that Act provides the Brisbane Market Authority with an exclusive right to operate a fruit and vegetable market within the City of Brisbane. We are familiar with what is happening there. Section 29 prohibits the carrying on of business as a fruit or vegetable wholesaler in Brisbane other than in the Brisbane market, imposing a maximum penalty for a first offence of \$1,500 and \$7,500 for second and subsequent offences. The authority may exempt fruit and vegetable wholesalers from this provision if the authority is satisfied that the wholesaler obtains fruit and vegetables from the Brisbane market and sells them directly to retailers, delivering the fruit and vegetables to the retailer's place of business.

In 1998, section 29 was amended by the Primary Industries Legislation Amendment Act. It provides that section 29 will expire on 31 August 1999. There are only a few days to go. That is one of the reasons why it is quite important that this Bill is passed. This means that from 1 September 1999 fruit and vegetable wholesalers will be able to operate in Brisbane outside the Brisbane market.

According to the Explanatory Notes issued with the Primary Industries Legislation Amendment Bill, the 31 August 1999 expiry date was set in order—

"... to line up the removal of the legislative provision with the expiry of the current wholesaler selling floor leases at the Market. This has specifically been requested by the wholesaler representative body (Brismark) who want adequate notice of the termination of exclusivity to be given. This in turn allows the wholesalers to decide whether to exercise a 5 year extension option on their leases to remain at Rocklea, or move to an alternative location."

Termination of the exclusivity provisions of the City of Brisbane Market Act 1960 was recommended by a report of the Brisbane Market Authority Review Committee in May 1998. The review, which formed part of Queensland's obligations under the National Competition Policy, found that the exclusivity provision had a historical purpose. The original intention of the provision was to promote the relocation of the market from Roma Street in the city centre to Rocklea. The review found that this purpose was no longer relevant.

The review committee also considered the fact that the restriction on competition had always been limited geographically to the City of Brisbane and that the legislation did not restrict other methods of marketing produce, such as direct marketing from growers to retailers, or from growers to processors, or interstate, or export marketing. The report stated that a consultant—

"... had concluded that the natural cost advantages (ie economics of scale and scope) of the Brisbane Market have been a more significant contributor to the BSA's market power than the legislative exclusivity provisions, and that the removal of the legislative provisions would not, in itself, lead to fragmentation of the central marketing arrangements."

The review committee concluded that—

"... as the legislative restriction does not appear to have any practical effect at the present time ... it is difficult to escape the conclusion that there is neither a cost nor a benefit in retaining the restriction, and hence the retention of the legislative restriction on NCP ground, cannot possibly be justified."

There are concerns that, with corporatisation, the Government may request a dividend that would increase the cost to the agents in the market.

I would like to expand on that. If we are going to corporatise the Brisbane market, we do not want to see a major blowout in the demands on the people who supply the market. Basically, it will come back to the person who is operating as a retailer at the market, but we could see a demand put on by Government because it is considered to be a Government corporation. That could result in an escalation of charges and those charges would have to be paid and would be passed on to the producer. As a consequence, the producer would not receive as much for his product as he would have received had the charges not been imposed. I would like the Minister to take that on board because I think it is extremely important to the horticultural industry and the fruit and vegetable industry in this State.

I am not sure that, at this time, the Brisbane market is really in the correct place. The market's location does not suit the airlines because of its considerable distance from the airport. The market would probably be better placed closer to the shipping port. To a large extent, what was built back in 1960 does not really cater for the current needs of the trans-shipment of produce from a truck, into the marketplace, and then on to the purchaser. Perhaps we should have looked at the situation more closely before more development occurred at the market.

The horticultural industry in this State is worth almost \$1 billion at the present time. Every time we put in a dam or arrange for the retention of water in an area we will find that there will be some horticultural pursuit surrounding that development. A lot of that produce will end up in Brisbane, which should be the ultimate object. We should be looking for a better marketplace for the produce within the

Brisbane area, otherwise it will go to Sydney or elsewhere. It is vital that it is taken into the Brisbane market complex before it is sent to its next destination. Probably some 60% of our excess production will go into the export arena. We pretty well absorb most of our horticultural crops and fruit and vegetables in Queensland at the moment. We have to look at being very efficient for the export markets. I am not absolutely certain that the Brisbane market is in the best location for the future direction of the horticultural industry.

I would like the Minister to take that on board because I believe that we will be expanding. In 10 years' time we may see the horticultural industry being worth \$2 billion to Queensland.

Time expired.
