



Speech by

# Hon. PETER BEATTIE

MEMBER FOR BRISBANE CENTRAL

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Hansard 8 December 1999

## MINISTERIAL STATEMENT

### Land Clearing

**Hon. P. D. BEATTIE** (Brisbane Central— ALP) (Premier) (9.34 a.m.), by leave: In 1997 I promised the people of Queensland that, if elected, my Government would protect all land from unsustainable tree clearing and land degradation by introducing a new Vegetation Act or other appropriate regulation. My Government was elected and I am delighted to be able to inform honourable members that today we will deliver on this commitment. And we will deliver in a way that not only protects the unique biodiversity of this State but also gives our farmers the certainty they need to be able to plan and develop their properties on a sustainable and long-term viable basis. This is a pro-farmer, pro-sustainability of land, pro-Queensland outcome. This is in Queensland's long-term interests. Let me repeat that: my Government will protect our unique biodiversity and give certainty to our farmers—not just the current farmers but also their children and their children's children.

This outcome has not been achieved easily. Months of protracted negotiations and discussions have gone into this result. Indeed, yesterday I met separately with farmers and environmentalists, as did my Ministers. Last night I had a two-hour meeting with all the stakeholders and Ministers Mackenroth and Welford. Although there is not complete agreement between all stakeholders, I believe that the result will be seen by fair-minded people as the best possible outcome for the future of this State. We achieved agreement on approximately 80% of the issues. I would have preferred 100% agreement, as we had with the regional forest agreement. But in the absence of that, my Government must make decisions. That is what we were elected for—to make tough decisions when we cannot get consensus, because this is a consensus Government. If the Opposition was genuinely interested in the future of Queensland, the future of the land and the future of farmers and their families, they would support this initiative.

In 1997 the Borbidge/Sheldon Government signed a partnership agreement with the Commonwealth Government to allow for the release of funds to Queensland from the Natural Heritage trust, which was a product of the sale of one-third of Telstra. This agreement, in part, committed the State Government of the day to "help reverse the long term decline in the quality and extent of Australia's native vegetation cover" and "to have effective measures in place to retain and manage vegetation including controls on clearing". That was the Borbidge/Sheldon agreement. Unfortunately, as with so many other pressing State issues, the previous Government failed to deliver. They squibbed it. The former Minister for Natural Resources failed miserably. He squibbed it, too.

For the benefit of the House, I would like to outline some of the more significant aspects of my Government's new policy on vegetation management. Most important, for the first time in Queensland, a head of power will exist to control land clearing on freehold land. These controls previously existed only on leasehold land. Second, these controls will expand protection from endangered regional ecosystems to now include vulnerable—or of concern—regional ecosystems. This means that protection will be provided to species that have shrunk to less than 30% of their original range, instead of the previous 10%. Of the 1,085 regional ecosystems recognised in Queensland, 10% are considered to be endangered while a further 22% are vulnerable. In conservation terms, this is a significant achievement for Queensland and one of which all members of this House should be proud.

For the first time in this State, legislation will recognise and allow for the protection of threatened regional ecosystems as well as individual threatened species. In addition—as a broad practice mechanism—vegetation across all bioregions will be kept above 30% total cover. Where more than

30% of the original vegetation types remain, the Minister will be able to protect those areas that have high nature conservation values, such as areas of high biodiversity and areas vulnerable to degradation such as salinity.

But most importantly, these gains have not been won at the expense of our farmers' ability to develop their land responsibly. For example, regrowth will generally be exempt from clearing controls. The controls will also not apply to essential management, which includes the maintenance and protection of all farm infrastructure. Nor will the controls apply to routine management, apart from areas declared to be endangered or vulnerable, or having conservation values.

I also want to make two points very clear to every farmer in Queensland. First, the State Government will honour all existing permits to clear on leasehold land. Second, there will be no moratorium on broadscale clearing. The legislation that my Government will introduce here today through the Minister, Rod Welford, will not be the final word on this matter. While today's Bill will set in place the Statewide guidelines, provision has been made for regional vegetation management plans to be devised. These regional plans will be the subject of wide consultation and will give farmers the regional flexibility that they seek to accommodate different land types and land uses. This consultation phase will be used to pinpoint the precise areas of high nature conservation value and areas vulnerable to degradation in each region.

When the regional vegetation management plans are in place, they will be the ongoing basis for assessing applications for clearing. In order to administer these controls, the Government has chosen to use the existing provisions of the Integrated Planning Act and rejected the option of drafting stand-alone legislation. The Government believes that the system of assessment codes and associated performance indicators that the Integrated Planning Act gives are more than adequate for this task. The move to give local authorities the responsibility to administer tree clearing controls brings rural development in line with the system applying to most other land-holders in Queensland. Such a move has been long overdue. It puts decision making on development issues back where it belongs: at the local level.

Some concerns have been expressed by the private farm forestry lobby that these new guidelines will prevent logging on freehold land for timber production. This is not correct. I stress that: this is not correct. Forestry practices—and that includes the initiatives in the south-east Queensland forest agreement—are, and will remain, exempt from the provisions of the Integrated Planning Act, but the appeal and enforcement provisions of the IPA will apply in all other cases. For example, restoration provisions for illegally cleared vegetation are included and will work in much the same way as they do for heritage buildings that are demolished illegally.

All stakeholders in this process have acknowledged that financial compensation is a major, if not key issue in delivering a balanced outcome. It is a matter of great regret to me and to this Government that the Federal Government remains oblivious to the situation of rural land-holders affected by this policy. Senator Hill wanted the details of our proposal. He will get that in the Bill presented to the House at 11.30 this morning. There will now be no excuse for him to withhold the \$100m that Queensland is due. This has been agreed by the Commonwealth and State departments involved in negotiation. If he fails, the coalition will be judged as anti-farmer, anti-the bush, anti-land conservation and anti-Queensland.

It appears that the Federal coalition Government has learned nothing from the recent demise of the Kennett Government, which turned its back on the rural and regional communities of Victoria. I am pleased, however, that all stakeholders in this process unanimously support a strong incentives-based approach to vegetation management. All stakeholders also support the provision of financial assistance to farmers whose business is adversely affected by these guidelines.

I should thank all stakeholders for participating in the negotiation and discussion process with the Government. I thank them for their support. I asked for common ground and goodwill. In my view, we certainly achieved as much as we could under the circumstances. I note, however, that the Federal agricultural Minister and National Party member, Warren Truss, has said that the Commonwealth should not be expected to fund compensation for Queensland farmers. He says that the Queensland taxpayers should pay. Here is a Federal National Party Minister from Queensland—a Queenslander; I stress that—trying to stop Queensland farmers from getting compensation. Let the record show that a Federal National Party Minister from Queensland is trying to prevent Queensland farmers from getting compensation. My Labor Government will fight to see Queensland farmers get their fair share of compensation from the Commonwealth. We will stand side by side with farmers to fight the Commonwealth on this issue.

This has been a difficult issue to resolve with the wide range of stakeholders and their varied individual hopes and aspirations. My Government does not shy away from tough decisions. We confronted and resolved the RFA question. We confronted and resolved the vexed issue of native title. We confronted and resolved workplace reforms. We confronted and resolved tough law and order and

public health issues, such as prostitution controls. We have now confronted and resolved the tree clearing issue.

No responsible Government can allow uncertainty, and that is why my Government has acted on tree clearing: to remove that uncertainty. Queensland's unique biodiversity and Queensland's farmers deserve a positive outcome, and that is what these new guidelines will deliver. I appeal to the farmers, the environmentalists and the other stakeholders to take a deep breath and then read the guidelines before commenting publicly. I urge all Queenslanders and all stakeholders to read our plan in detail and not be duped by the scaremongers and the political opportunists who will seek to misrepresent this plan.

This is a Queensland plan to guarantee Queensland's future. I also appeal to all stakeholders to work with the Government in implementing these new guidelines. Finally and most importantly, I again appeal to Federal Environment Minister, Senator Robert Hill, to release Queensland's fair share of the hundreds of millions of dollars that are specifically included in this Budget for this purpose. My Government has done its part. It is now over to Senator Hill and his Government to do their part.

I want now to set out in some detail the significant benefits for each particular category of stakeholder. I will summarise. These are the new vegetation management arrangements.

#### Significant benefits for conservation

For the first time in Queensland, the legislation will provide a head of power to control clearing on freehold land.

For the first time in Queensland, legislation will recognise and allow for the protection of threatened regional ecosystems as well as individual threatened native species.

The legislation will provide the Minister with the power to declare areas of high nature conservation value, for example areas of high biodiversity; and areas vulnerable to degradation, for example areas subject to salinity, and provide for clearing in those areas to be assessable.

Remnant endangered regional ecosystems and remnant of concern regional ecosystems will be protected from clearing.

Vegetation across bioregions will be maintained above 30% total remnant vegetation cover. Regional vegetation management plans may extend this approach to individual catchments.

Regrowth that contributes to the conservation of endangered regional ecosystems may be declared as an area of high nature conservation value and protected from clearing. Regrowth may also be declared as an area of high nature conservation value or an area vulnerable to degradation for other reasons.

Broadscale clearing becomes assessable once the Bill is proclaimed. While no moratorium is proposed, applications for broadscale clearing will not be caught by the Integrated Planning Act processing period restrictions until 31 December 2000.

While situations where clearing is prohibited are not written into the Act, these will be clearly specified in the purpose and associated performance indicators of the assessment code.

Penalties for breach of development approvals associated with clearing are set under the IPA, with courts empowered to order restoration of any damage to vegetation. The Bill also expressly allows for offenders to be prosecuted for causing environmental damage under the Environmental Protection Act.

#### Significant benefits for primary producers

Regrowth is exempt from controls, except in areas declared following consultation to be of high nature conservation value or subject to land degradation.

Essential management, including the maintenance and protection of farm infrastructure, is exempt from controls in all areas.

Routine management, including the establishment of new farm infrastructure, is exempt from controls outside endangered and of concern regional ecosystems and areas of high nature conservation value.

Remnant endangered regional ecosystems will be protected from clearing as agreed by the QFF.

Areas of high nature conservation value and areas vulnerable to degradation may be declared following consultation so that the obligations of land-holders are clear and up front in these areas.

Regional vegetation management plans must be developed with public consultation. These will be the basis for assessing applications for clearing.

No prohibitions written into legislation so that flexibility can be built into regional vegetation management plans.

No moratorium on broadscale clearing applications.

Existing permits on leasehold land are not affected by the legislation.

No new penalties. Penalties and enforcement provisions are consistent with the Integrated Planning Act and other legislation. Entry and seizure of property cannot occur without the consent of the landowner or a warrant.

Initial approvals will be for two years. Longer-term approvals will be available once regional vegetation management plans are in place.

Significant Benefits for Urban Development.

The new arrangements will not apply to:

Urban areas outside areas of remnant endangered regional ecosystems, remnant of concern regional ecosystems and areas declared following public consultation to be of high nature conservation value.

Development with an area of less than five hectares outside an urban area and outside areas of remnant endangered regional ecosystems, remnant of concern regional ecosystems and areas declared following public consultation to be of high nature conservation value or vulnerable to land degradation.

Building a single residence and associated building on a property.

Essential management, including the maintenance and protection of buildings.

Regional vegetation management plans must be developed with public consultation. These will be the basis for assessing applications for clearing.

No prohibitions written into the legislation so that flexibility can be built into regional vegetation management plans.

Penalties and enforcement provisions are consistent with the Integrated Planning Act and other legislation. Entry and seizure of property cannot occur without the consent of the landowner or a warrant.

Application and approval procedures to operate under IPA time-lines applying to applications for development other than those solely involving tree clearing.

Significant Benefits for Local Government.

The new arrangements will be applied through the Integrated Planning Act to ensure that they build on existing arrangements in place for assessing development applications.

Local laws and planning schemes can be used to manage vegetation in addition to the State framework.

Responsibility for assessment of clearing may be delegated to local government at the request of the local government.

This is a Queensland solution to guarantee Queensland's future.

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