



Speech by

Hon. R. E. BORBIDGE

MEMBER FOR SURFERS PARADISE

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VEGETATION MANAGEMENT BILL

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (12.13 p.m.): In joining the debate on the Vegetation Management Bill, I have to say that I am amazed by the contribution of the honourable member for Springwood. He can obviously read a document and not know the difference between "voluntary" and "compulsory". In fact, I think we will distribute that speech on behalf of the Australian Labor Party to every family farm in Queensland that will be subject to what I believe is some of the most sinister and vicious anti-bush legislation that has been presented to any Parliament anywhere in Australia.

This legislation is a major and unwelcome addition to the ever widening divide in this country between the city and the bush. The gap will widen further as the impacts of this Bill bite. I believe this Bill, and the Government's performance associated with it, will come to be seen as a defining moment in the history of this Government in the same way as the decision of the previous Labor Government to shut down one third of the State's rail system epitomised that Government's disdain for, and lack of understanding of, everybody in this State outside Brisbane.

Mr Hobbs: And arrogance.

Mr BORBIDGE: The Government's performance on this issue has been arrogant and nothing less than a disgrace. We have seen a deliberate vilification of the bush in the lead-up to the sham now before the House. The Premier and his Environment Minister had severe mandatory, penal tree-clearing guidelines for this State in their sights before they entered Government. Every step along the way since has been part of a charade that brings us to this point. The consultation was Clayton's consultation and the attempt to undermine the credibility and the reputation of people in the bush has been insidious, well planned, staged and vile.

The Premier has played the divide card with this Bill. He has worked on the assumption, just as he did in his regional forest agreement process, that there is a major concern about the environment in the city and if he is blatant enough in distorting the truth he will be able to get away with extreme outcomes that the Left of his party demands. It is a repeat of what we saw in relation to brothels; it is a repeat of the Socialist Left agenda that this Premier increasingly is championing in this State—

Mr Springborg: Supported by the member for Springwood.

Mr BORBIDGE: Supported by the member for Springwood and the member for Mansfield and other members in this place on the casting vote of the member for Redcliffe.

Mr Johnson: All the ones from the koala tunnel of fame.

Mr BORBIDGE: They have not learnt much from the koala tunnel experience. In the lead-up to the introduction of this Bill 48 hours ago there was a deliberate campaign to misrepresent to the people of Queensland via the media the scale of tree-clearing in this State. He has very deliberately massively overstated it in a bid to slander the rural community and create the right mood in town. On its best estimates, the Australian Greenhouse Office says that emissions of greenhouse gases associated with tree-clearing in Australia have almost halved during the 1990s, which totally belies the panic the member for Brisbane Central has sought to bring to bear.

The only place the Premier's claims have stacked up is in the stacks of headlines he has managed to convince some outlets to display. He should read the current edition of Queensland

Country Life to see what the people who have some knowledge about these issues think. The Premier successfully denigrated the bush through propaganda as a crucial and planned prerequisite for pushing through this regime of draconian controls. This legislation is a repeat—a mirror image—of the approach to the bush that we saw and that we see in relation to native title. This is much more of the stuff that created Pauline Hanson.

In the great tradition of the Goss Labor Government, people who live beyond Ipswich and Bald Hills may as well be Martians as far as this Government is concerned. It is a Government which has become expert at denigration of the bush. We have had a series of ridiculous assertions from senior members of this Government which emphasise their view of country people. We had the Minister for Environment and Heritage declare that people in the bush were breeding dingoes to get scalp money. We had the Treasurer declaring that country women would drive the farm truck to town to do the shopping to avoid tax on the fuel for the car. We were treated this week to perhaps the ultimate piece of evidence as to how totally out of touch this Government is with rural people and the issues of rural Queensland. We had the Premier pretending to engage in some panic policy development at 40,000 feet. On the flight in the Government jet to Charters Towers, he saw smoke out the window. He concluded that the State was on fire. Irresponsible farmers were torching the cleared trees, according to the member for Brisbane Central. As Queensland Country Life says today, the Premier claimed that he could tell the difference between controlled burn-offs and wildfires and fires set to burn trees felled as the result of land clearing—and the difference between leasehold and freehold land—all from 40,000 feet at about 850 kilometres per hour.

Mr Cooper: Do you know what the smoke was?

Mr BORBIDGE: What was the smoke?

Mr Cooper: The smoke was the vapour from the jet engines as he was flying along.

Mr BORBIDGE: It is a wonder that the Premier could see the ground for flying pigs. It was one of the most outrageously stupid, outrageously offensive, outrageously ignorant claims ever made by any Premier of this State. It was, literally, incredibly stupid. And it got what it deserved: absolute ridicule. But it was not funny. What it was, at its heart, was a vicious, a highly deliberate and a totally despicable and vile misrepresentation. What that piece of policy without a parachute was actually all about was providing an excuse for what we see before us in this Bill and why we are dealing with it in the way we are.

The Parliament is being forced to consider this Bill in a few hours, with only a few hours to study it, on the edge of a long Christmas recess. And we are being asked to do so without the central element, which is the State policy document with which this framework legislation works. This is all part of the plot: get the city on side by denigrating the bush; create a climate in which people are prepared to see the use of a blunt instrument, so the Government can avoid the pretext of some degree of respect for the rights of private property; set them up for ready acceptance of tough, mandatory, penal provisions, so that it can get through a Leftist agenda that might otherwise face considerable scrutiny; set it all up so that there will be acceptance, particularly among the opinion makers, of tactics in this place that would otherwise draw criticism; and ram it through and hide it before Christmas. Goebbels himself would be proud of the performance. But it will come back and bite.

Simplistically, what this legislation seeks to achieve is retention of 30% of native vegetation, standing as at 1788, right across Queensland. That is an ambitious target. Wayne Goss, in 1995, did not proceed with the regional forest agreement process with Paul Keating because Queensland Labor, at that time, did not believe that it could meet a target of 15% retention of native vegetation—half what the member for Brisbane Central now demands—after moving to shut down all the native forests in south-east Queensland. The Premier plans to achieve the target via mandatory controls on tree clearing on freehold and leasehold land, with the standards for freehold in this Bill quickly extending to take the place of existing controls on leasehold. What those controls are, and how they will work, is not before this House in this legislation in any detail whatsoever. The State policy, which is the substance of the Government's intention, is not before the House. It will never come to the House for debate, and members can bet that it will not surface from the Government until well after this House has risen this afternoon and, I would bet, before this Bill is proclaimed.

Everything that the Premier has done has been an effort to avoid scrutiny. Under the umbrella of this State policy, regional vegetation management committees will be established to formulate regional vegetation management plans. Those plans will, in turn, become the local basis for consideration of applications. The manner in which those applications will be dealt with is unclear, except that it is known that they will be associated with property management plans. Who will be able to clear what, and where, is an almost total mystery. We know that areas of high nature conservation value will be totally protected. Where there is an area vulnerable to land degradation, clearing may also be banned. In all areas where there is 30% or less original native vegetation standing, clearing will be

banned. Not all regrowth will be allowed to be cleared. Regrowth must be less than 70% of its typical mature standing height, in any event, to qualify for re-clearing. But the details are incredibly vague.

A great deal will depend on the codes established under the regional vegetation management plans. A great deal will depend on who is represented on the regional vegetation management committees, which will establish those plans. A great deal will depend on how long it takes to establish those plans—not just for freehold land, but for leasehold land as well, under the new criteria. Precedent suggests that that could take as long as a year or 18 months. In the meantime, people on freehold land in particular will be in absolute limbo. I suspect that, in practice, we will effectively have a 12-month moratorium on all tree clearing in Queensland, apart from existing permits, as a result of this Bill. That is an unfair burden on many farming families, and it will also impact on a considerable number of clearing contractors who are going to be without work. Those calls have now started.

Mr Springborg: Jobs, jobs, gone!

Mr BORBIDGE: Jobs, jobs, jobs—jobs gone, jobs gone, jobs gone!

For example, my office received a call on Wednesday from a Mr Ray Heale from Bundaberg, who called his bank on that day to arrange the process of repossession of his four dozers and four scrapers—around \$1m worth of equipment—on the basis of the passage of this legislation today. Where is the member for Bundaberg? Silent as usual! That fellow's seven employees will be looking for work.

Mr Johnson: That'll be the first of many.

Mr BORBIDGE: As the member for Gregory says, it is just the start. There is going to be plenty more of that in the days and weeks and months ahead. Will Mr Ray Heale get compensation? Will his seven workers get compensation? Will anybody get compensation under this regime? Compensation, which is one of the first issues—one of the cornerstone issues that ought to have been addressed by this Government—has barely been addressed at all. That is a very clear indicator of the lack of sincerity of this Government and the lack of sensitivity of this Government and this Premier.

Mr Johnson: They've got no compassion at all.

Mr BORBIDGE: They have no compassion at all, as the honourable member for Gregory says. What is proposed in this Bill is a fundamental realignment of the understanding of the authority of freehold land ownership in relation to what can be done and what cannot be done on freehold land. Freehold is the highest form of title known to the law. A freehold grant is a grant of exclusive possession. And it has a very interesting recent history. Many honourable members will recall that a cornerstone of the Wik decision was that native title could not apply to freehold land because freehold was a grant of exclusive possession; there was simply no room for anybody else to share in that form of tenure. The owner had control of it, and that was that. Even Nick Bolkus ultimately agreed—if reluctantly—with that proposition.

The flip side was interesting. One of the reasons that a majority of the judges held that a lease was not a grant of exclusive possession was that a lease could be encumbered with conditions. Now, here we are, with this Labor Government encumbering freehold with conditions. Freehold has effectively been reduced to leasehold status by this Government. And that is another reason—a core reason—why this legislation is so vicious. The Government has not even given lip-service to the issue of the long-held right of exclusive possession that has, to this day, attached itself to freehold. It has been prepared—even eager—from day one to ride roughshod over the issue of freehold ownership, and that eagerness on the part of Labor is a reflection of the view that was once widely held—and is clearly still held within this Government—that there really ought to be no such thing as freehold ownership of land in this country.

Mr Johnson: They've got no regard for the legislation. The Minister's not even here.

Mr BORBIDGE: The Minister is not even here as he is ramming the legislation through the Parliament. He could not care less. He has gone out to count dingoes. There are plenty of them in the caucus.

It was out of respect for that sanctity that we, in Government, in dealing with this very difficult issue, were seeking to establish regimes that largely engaged guidelines and voluntary arrangements, not mandatory provisions. Labor has no such respect for the rights of ownership. It has, with this Bill, effectively reduced freehold to the "mere bundle of statutory rights" that Their Honours of the High Court determined constituted what so many people on the land, and in Governments in this country, had previously thought was the exclusive possession attaching to freehold. In fundamentally reducing the authority of freehold, this Government has slashed potentially massive sums from the values of rural land so that valuations for freehold will now, once more, be realigned with the diminished values of leasehold.

The other way in which this Labor Government has slashed the value of freehold primary production land with this Bill is in relation to earning capacity. The reality is that, up until this Bill, it was up to the commonsense of the individual freeholder as to the extent of clearing on the property in order to establish, or expand, primary production. That right goes. And with that right goes the ability to expand and perhaps in some, if not many, cases over time even an ability to survive, as the need to match increased production to increased costs drives profitability on properties facing heavy restrictions to the very brink. Perhaps that will occur after production declines because land is being overpressured. So compensation is an absolutely fundamental issue in this equation. But what do we have from the Premier? Play-acting! Posturing! Political games! Demonisation! He says that he will not proclaim the legislation until the Commonwealth meets his demands to take over responsibility for compensation. He says that he wants \$100m, when he knows that \$100m will not touch the sides.

I am reliably told that in the report that the Government is so eager to destroy, the sum is several hundred million dollars. I am told it is in excess of \$500m. No wonder those opposite do not want that report released. The loss to property values in many areas of this State will be vast. The loss of production income, for all time, will be vast. Probably \$1 billion would not cover the real costs of these measures. The impact, we are told, on rural economies, according to the secret report which the Government will not release, is in excess of half a billion dollars without the compensation. On the question of compensation, the Premier is doing what he tends to do on most things, most of the time—he is posturing, he is posing and he is blaming someone else for his own actions. The incredible hypocrisy of his position is that in his own Budget not one cent has been set aside for compensation—not one cent.

Further, there is no attachment to this legislation establishing what will be compensable issues and what will not. The only reference to the source of compensation in these documents is an indication that it looks as if the Government wants to duck it altogether.

At page 3 of the Explanatory Notes it is said that the State will accept responsibility for additional costs to Government from administration of this extraordinary scheme and that financial assistance arrangements for land-holders are being discussed with the Commonwealth. That reads as a cop-out. This is State Government legislation. The principal responsibility for compensation is therefore with the State. The State wants to duck that responsibility because what it has put in place is so draconian that its exposure is massive. It need not have been so massive, and it should not have been so massive.

A system with far more self-managed controls and with some reasonable flexibility, instead of an overload of harsh and arbitrary mandatory provisions, would certainly have been a compromise between environmental considerations and the very considerable respect required for freehold and the very considerable respect required for the monetary impacts on land-holders of mandatory provisions.

The reality is that we can have the environment we can afford, and that we can justify, in relation to the human costs. This legislation, in so far as its intent is clear—from the limited aspects of the package that are before us—is very poorly balanced indeed.

I wish to express concern at the secret report which this Government dishonestly hid away from the Parliament and hid away from the people of Queensland. When we exposed it this morning, the Government attacked the public servants who wrote the report. The challenge is simply this: release the report and let the contents of that report be independently assessed. That is the challenge to the Government. The Government had preconceived ideas. It did not wait for the experts in the department to report; it rammed the legislation into the Parliament without proper consultation with key stakeholders. By this legislation, the Government is widening the great divide between the city and the bush. It is driving wedges between people who live in the city and people who live in the bush. This Government is waging a massive assault—

Time expired.
