



Speech by

Liz Cunningham

MEMBER FOR GLADSTONE

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PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL

Mrs CUNNINGHAM (Gladstone—Ind) (3.28 pm): I rise to speak to the Primary Industries Legislation Amendment Bill. I commend the minister for the changes to the Animal Care and Protection Act. I think all of us are horrified at some of the scenes that we see on TV in relation to animal care. Whilst there are instances where perhaps zealous animal protection officers intervene in situations without proper consultation with the owners of animals, in those extreme cases where animals are neglected—where it is obvious that owners have far more animals than they can properly care for or afford to feed, in fact—intervention is necessary. Those already traumatised animals need the ability to be fed and nurtured properly, and perhaps a move is not the best way for that to be achieved. The ability of the inspector to attend to those animals on the property without further trauma is welcome.

This bill deals with a number of issues, and I want to deal with one that is ancillary to the contents of the bill with your forbearance, Madam Deputy Speaker. The fishing industry in Queensland has undergone a significant number of changes. Many of those changes were at the hand of the state government. However, the GBRMPA changes were orchestrated by the federal government and the compensation payments or the restructuring payments were paid to fishing families through the Queensland Rural Adjustment Scheme.

I would like to place on record an incident that, although managed through QRAA, is certainly a problem of the federal government. Rachel and Craig Dean are a fishing family in my electorate. In Rachel's words, Craig knows no other line of work. When the effort allocation was made, their allocation was significantly reduced. In order to be able to buy more nights, they borrowed a significant amount of money. When the GBRMPA rezoning took place, quite a number of areas that they fished were closed. They applied through QRAA for a structural adjustment. I would like to read into *Hansard* parts of a number of letters from QRAA and the federal minister. On 4 May, the family received this letter—

As was stated at the recent port meetings, this information is provided by the Australian government Department of the Environment and Heritage to help you demonstrate the impacts that the rezoning of the Great Barrier Reef Marine Park has had on your fishing operation taking into account the effects of the licensed buy-out.

That was the initial information that QRAA provided for the federal government. This family subsequently lodged an application for a structural adjustment package and they were successful. Again, QRAA, acting on behalf the federal government—GRMPA—wrote to the family on 20 October 2005. That letter states—

The rezoning of the Great Barrier Reef Marine Park came into effect on 1 July 2004. In accordance with the Australian government's marine protected areas and displaced fishing policy, the government is providing a structural adjustment package to ensure the fair and equitable treatment for those fishers, fishery related businesses, employees and communities that can demonstrate that they have experienced or will experience negative impacts due to the rezoning. Business restructuring assistance is available to eligible licensed fishing operations, lessees and fishery related businesses to help them restructure their business so that they can manage the negative impacts they will experience as a result of the rezoning.

This is a very important piece of information. The problem is not with QRAA; the problem is with the federal government because QRAA administered the conditions of the package in accordance with the directions from the federal government. The letter goes on to state—

Upon your acceptance of this offer—

and the offer was granted on the basis of a formula—

QRAA will place the amount of ... into your nominated bank account. Please note the authority will only pay the GST exclusive amount of any invoices and receipts supplied.

This is very important—

QRAA will correspond with you in relation to any further grant moneys in respect to taxation when these details are made available to QRAA from the Commonwealth.

That letter goes on to refer to applicants obtaining their own independent professional advice. However, clearly, that sentence in the minds of fishermen indicated that taxation was a separate issue. Exemption may be part of the process from the federal government and, if it were not tax exempted, consideration would be given to these fishing families in relation to the tax part of the payment.

These families are already stressed. They have been restructured as they were not viable because of the GBRMPA changes. These packages were supposed to help them. On 13 June, the office of Ian Campbell wrote to the family and stated—

On 26 May, the minister for environment and heritage, Senator Hon. Ian Campbell, announced on behalf of the Australian government that all applicants provided with a full business restructuring assistance grant would be awarded an additional 20 per cent on top of the amount required to restructure the business.

There is no indication of what that 20 per cent was other than it was a top-up. In my words, there were no strings attached. It was a top-up payment. There was no mention of tax top-ups. In fact, in my meeting with the family they told me that they were advised that it could be used for whatever purpose.

The business plan that the federal government required cost thousands of dollars—in this instance \$8,000. This family's accountants wrote back and said—

As part of our role, we assisted some clients in applying for the business restructuring assistance package and helped them restructure their business to continue in the industry and maintain a viable business. During this process, we liaised with the Queensland Rural Adjustment Authority who administered this assistance on behalf of your department. We raised the issue of taxation of assistance received under the full business restructuring assistance grant. We were informed at that stage that this was unclear but, upon determination of any taxation consequences, we were led to believe no businesses would be disadvantaged.

So the family was told by GBRMPA, by the relevant minister and in negotiations with QRAA that these fishing families would not be disadvantaged. The letter from the taxation company goes on to state—

Recently, the client received a letter of offer in relation to an additional 20 per cent grant of \$29,638 for additional business restructuring. No mention was made of this amount being a grant to assist with payment of taxation liabilities.

The letter goes on to refer to the grant. So QRAA, acting in good faith on behalf of the federal government, is assisting these fishing families to try to claw back a living from the fishing industry that has been significantly affected by state and federal government claims. Yet the federal minister and the federal government, through the department of environment, is making it incredibly difficult for these families to survive. They have given these people these grants, left it unclear about these people's taxation obligation, and are now coming back to say that the fishing families have a taxation obligation.

I know that this issue does not fall within the minister's area but, under this, it relates to an area of the minister's responsibility. I call on the federal government to show some compassion in relation to these fishing families and waive the tax obligations on these grants.