Speech by

Ray Hopper

MEMBER FOR DARLING DOWNS

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WILD RIVERS AND OTHER LEGISLATION AMENDMENT BILL

Mr HOPPER (Darling Downs—NPA) (2.56 pm): In rising to speak to the Wild Rivers and Other Legislation Amendment Bill, I want to take the opportunity to congratulate the new minister and wish him all the best. I hope that we can work together and get some decent things done in the department of natural resources for the betterment of all Queenslanders.

I want to thank the department for the briefing that my staff and I received in relation to this bill. I note that we raised a number of questions in that briefing, and some of that has been put in place in the legislation. The opposition is extremely appreciative of that fact. This bill is actually a wind-back bill. The wild rivers bill—what a magnificent name! It is a name that captures people's imagination, and that was the exact design of this bill. It was to lock up the wild rivers so that everyone in Queensland would think that the Beattie government has made all of our rivers like the Mississippi in America—two kilometres wide with flowing water! That is the picture that this paints.

Mr Hobbs: Rapids!

Mr HOPPER: Rapids, you name it! What do we see now? We see a total winding back in just about every bit of this legislation. What we have is a Clayton's bill: we have a bill that is not a bill. We are simply undoing what was done six months ago. I wonder how members opposite feel about this. The fact is that now that this bill is out in the public arena it appears that the Beattie government has fixed the wild rivers. Now even the Wilderness Society agrees with this, and I will touch on that in a few moments.

This bill could not suit the opposition better, and we will certainly be supporting it today. What does the Labor Left think? Where is the member for Indooroopilly, with all of his environment speeches and the way he goes on in the newspapers, going to stand? I dare him to cross the floor today, because this bill is going against the Labor Left. It goes against everything that the member for Indooroopilly has stood for. If he were half the man he makes himself out to be, he would cross the floor in a division if there were one, but there will not be. He would have to call for a division.

This bill seeks to amend a number of acts to bring more sense into the planning tool known as the wild rivers legislation. These bills include the Wild Rivers Act 2005, the Building Act 1975, the Coastal Protection and Management Act 1995, the Environmental Protection Act 1994, the Forestry Act 1959, the Integrated Planning Act 1997, the Mineral Resources Act 1989, the Valuation of Land Act 1944, the Vegetation Management Act 1999, the Water Act 2000 and a number of other consequential and minor amendments to legislation. As I said before, the opposition welcomes the changes to this act, because since the introduction of the wild rivers legislation it has been a simply unworkable and unnecessary planning tool that has nothing—absolutely nothing—to do with rivers at all.

The wild rivers bill is essentially an umbrella bill that provides a framework to prevent and restrict development in and around rivers and other areas in Queensland that have all or most of their natural values intact. In that respect, wild rivers legislation does not have much to do with rivers at all. It is not even really about rivers. As I said before, the wild rivers title is something that was dreamed up by the spin doctors—wild rivers! It is just amazing. It was thought up by the spin doctors on that side of the House because it would have great appeal to people who are concerned about the environment. Where are all of

the environmentalists going to stand on this bill? Are they going to come in here and speak against what this government is doing? I would love to hear it. Come on out! I dare them! The wild rivers title is a very, very misleading title.

I note in the minister's second reading speech given by the Hon. Kerry Shine MP that this bill will 'ensure that more than a handful—indeed six—of the additional high conservation value river areas will be protected'. The wild rivers legislation is not really about rivers; it is not a bill about water. It is a planning instrument. It is about a planning regime that restricts, prohibits and controls development in areas, not rivers that may or may not be individual river catchments. It also involves other non-river areas.

The electorate of the member for Hinchinbrook has been adversely affected by this legislation. As he will point out to members, this legislation also deals with islands such as Hinchinbrook Island and Fraser Island. I am sure that the member for Hinchinbrook will explain how Hinchinbrook Island is already locked up. People cannot do a thing on Hinchinbrook Island anyway, so what is this all about? I will not go into that. I will let the member for Hinchinbrook bring that forward in the House if he has the time to do so.

The bill before the House winds back a great deal of legislation put forward only a year ago. This bill, therefore, is a concession that the government got it wrong. The government got it wrong on mining and on farming, and the government got it wrong with the councils and developers. That is why this legislation is before the House today. This is a 'get right' bill from the government's 'get wrong' legislation. As a result, the government is cowering with regard to its environmental promises to Queenslanders. It amazes me that the Wilderness Society has agreed to these concessions. It must have conceded to the spin of this government and not looked at the details of the concessions that this bill makes.

This bill makes concessions that allow mining underneath a river system, low-impact methods of seismic drilling to take place, quarrying within a river area, public jetties, boat ramps, land restoration works and the growing of low-risk fodder crops. It amazes me that the left of this party, as I said before, has conceded so much by agreeing to a bill that allows for more development in areas designated as wild rivers. I wonder if the Labor Left actually knows what it is voting for here. I am concerned about the contribution of Labor members to the environment cause—for instance Bonny Barry, Peta-Kaye Croft, Simon Finn, Ken Hayward, Peter Lawlor and a number of ministers including Rod Welford, Steve Robertson, Margaret Keech, Geoff Wilson and Lindy Nelson-Carr just to name a few more.

Mr DEPUTY SPEAKER (Mr Moorhead): Excuse me, member for Darling Downs, you will have to use the proper titles of the members of the House.

Mr HOPPER: Thank you, Mr Deputy Speaker.

Mr McNamara interjected.

Mr HOPPER: The members for Algester, Everton and Ferny Grove. What will the environmental lobby think of these members weakening their unprecedented legislation about wild rivers? How can the members live with their decision to allow a mining company to tunnel only metres underneath a wild river?

The term 'wild river' certainly arouses an emotive response from people who are concerned about the environment, and that is all of us. It disturbs me at times that the green movement still tries to divide the Queensland community into those who care about their environment and those horrible people over here who do not care about the environment. People in the green movement seek to do that because that gives them purpose. It gives them a reason to go out there and raise money and create jobs for themselves and create causes that they can get passionate about. However, it is misleading because everybody in Queensland is concerned about the environment, including us on this side of the House.

Everyone is concerned about the environment. The people whom I represent are just as concerned about the environment as are the people of the electorates of Indooroopilly and Mundingburra. Everyone is concerned about the environment. The divide that the environmental lobby groups try to create is, to a great extent, a false divide. It is a false divide, but it serves the purpose for the extreme end of the environmental movement to have problems to address. Environmental lobby groups have to have a cause to pursue and powerful positions to seek.

The proof of the environmental credentials of my constituents is not seen by them chaining themselves to anything or holding up placards or dressing in silly costumes and carrying coffins around. The environmental credentials of the constituents whom I represent lie wholly in their actions. I would like to mention some of the environmental actions taking place in my own constituency. These environmental actions were forced on them by this legislation, not shoved down their necks by an overzealous bureaucrat or red-tape creating regulations. These practices were put forward to sustain the environment so these farmers could live and work on the land and pass it on to the next generation and continue those practises.

Mr Deputy Speaker, you might have heard me speak earlier in the week about a dairy farmer who has planted 15,000 trees on his property. He had a piece of salinity in the middle of his farm. He has addressed that. I challenge people to name a farmer in my electorate who has not contoured his cultivation

and not looked after his land. The farmers have farmed the land for 200 years. The farmers are still there because they are environmentally in touch with the land that gives them their living.

I would also like to mention some constituents of my colleague the member for Warrego. I refer to an article in the *Country Life* of 16 November 2006 entitled 'Queensland vegetation sold as carbon credits'. It states—

Increasing demand from industry is paving the way for the development of a major market for carbon credits.

A deal brokered by Mark Jackson from the Lismore, New South Wales, based company Carbon Pool and facilitated by Dominic Devine from Devine Agribusiness, Charleville, and sanctions approved by the Commonwealth government's Australian Greenhouse Office will see development rights in south-west Queensland sold off as carbon credits to major industries.

To date, three landholders who have been engaged in negotiations will soon sign over the management of selected areas of vegetation on their freehold land for a 121-year period. In return, the landholders have received payments of between two and three times the value of the land in its undeveloped state. The agreement is a proprietary right to take the produce or part of the soil from the land of another person—in this case, carbon in trees—that would otherwise be destroyed. It is, in effect, a carbon right.

The conditions of the agreements vary. Landholders can sell their rights to clear poplar box vegetation but still be able to fodder harvest the mulga trees located in the same areas. The minister knows what our mulga people have faced in the last six months in this drought. That is a fodder source. I hope that the minister is very aware of that situation. If the minister is not aware of that situation as yet, he needs to have a serious, close look at that area of Queensland.

I turn to property maps. Members have heard me address that recently. In effect, the agreement is a perpetuity to protect the trees that support the carbon. Industry in this case—the mines and energy sectors—buy the credits to offset their own carbon emissions. This is not about locking up land. It is about locking up carbon and landholders being paid for it. This example of farmers and miners working together, without interference from government, for good environmental outcomes shows that Queensland does not need wild rivers legislation to safeguard our future for generations to come.

In his second reading speech the minister said that it was an election commitment in the 2004 state election to protect the natural values of Queensland wild rivers for future generations. I wonder if it was an election commitment to the 2006 state election to wind that legislation back. The Minister for Natural Resources and Water, who stands in parliament today, is different from the minister whose name appears on the second reading bill. The minister is not the one who held the office prior to the election. There seems to be a merry-go-round of Labor members passing through this portfolio. In the last six months there have been four ministers in charge of this portfolio. I hope that the minister will stay in his position so he can get a hold of his portfolio and do something for the betterment of Queensland.

I truly hope that this is not a sign of Labor not taking seriously the important area of natural resources and water. These ministerial changes continue to create uncertainty about who within the government will be making policy in the important areas of natural resources and water. I raise this issue because the explanatory notes outline the great consultation process that has taken place to bring about these amendments. The consultation for this bill has occurred with at least one, or maybe two—or even three—different ministers. My concern is that those industry groups which relied on constant negotiation and understanding with previous ministers and staff will not have that same understanding or interpretations of the legislation when it is put in place. I am referring to groups such as QFF, AgForce and various farming bodies. This bill deals with some of the most important industries in Queensland, including mining and agriculture. It also deals with the environmental outcomes for future generations. If there are four ministers in six months dealing with outcomes to these stakeholders, my fear is that there will be an inconsistent message.

With the merry-go-round of ministers in mind, I turn now to discuss the important changes that this legislation will make. I refer to the changes that the bill makes to the Water Act 2000, which expands the water efficiency management plans to areas outside south-east Queensland. These changes mean that the powers of the Queensland Water Commission will expand to the whole of Queensland. That means that the water efficiency management plans will be expanded to the rest of Queensland. I have some questions about these expansions. Will the Water Commission receive more resources to be able to expand its operations to the whole of Queensland? What will this mean for compliance costs for small business throughout Queensland? Has this yet been considered? I am very concerned about the WEMPs. I hope that we get an opportunity to discuss that issue during the consideration in detail stage.

The other changes to the Water Act 2000 relate to greater flexibility in the transfer of water licences, primarily in the Great Artesian Basin, but envisaged to occur in a number of water resource plan areas. The Queensland coalition agrees with these changes. It welcomes the opportunity for irrigators on the same aquifer to be able to transfer water entitlements from one landholder to the other. Maybe the minister could address the situation of an irrigator irrigating in the Great Artesian Basin. If someone buys a block beside that irrigator and wishes to irrigate, puts down a bore and gets irrigation water, will that irrigator be

able to buy some of that licence? No more water will be extracted out of the basin because of the capping that is on the licences now. I think that is a brilliant move. That will give a farmer who owns a licence—maybe his licence is worth $2,000 a megalitre—the opportunity to sell 50 or 100 megalitres. That will also enable the farmer beside him to get that water to save a crop that was going to die. This flexibility means not only that the users can potentially trade water entitlements as an extra income source but also that farmers can increase their entitlements in the short term as required. There may be some areas that are in drought and other areas that may not be in drought. People in those areas that are in drought may be able to buy some water temporarily. I think those amendments are very good and the coalition certainly supports them.

The changes that this legislation makes to the Wild Rivers Act 2005 will allow a lot more development than when the act first came into place. The amendments will permit low-impact minerals exploration in high-preservation areas. Open-pit mining will be prohibited, but the bill allows miners to mine beneath them subject to strict environmental conditions. This bill also allows pastoralists to establish a new fodder crop outside high-preservation areas as of right without approvals, provided those crops are species that present a low risk of becoming an environmental weed in the rivers and wetlands. These amendments will also permit a range of services that are essential for communities in urban areas, such as water and sewage treatment, motor mechanic and fuel storage even if the urban area is located in a high-preservation area.

What this legislation implements is just common-sense policy. These changes allow people in a wild rivers area to live a normal life. We are seeing a total backdown on the legislation that came in 12 months ago. The coalition certainly agrees with these amendments. These amendments remove the constraints on fuel storage and access to quarrying materials for rural homesteads, outstations and resort complexes to allow development. The amendments clarify where wild river requirements will apply to future developments outside high-preservation areas. The Queensland coalition supports these provisions and is comforted by Labor's winding back of the wild rivers legislation. From time to time the Queensland coalition has said that that legislation, which was introduced in 2005, was simply unworkable. We are fairly excited that the government has woken up to the fact that it made a terrible mistake in introducing the legislation in the first place. Unfortunately, the legislation is still unworkable because the changes in this bill do not go far enough. But at least they head in a direction that will lead to a more practical outcome for the people who live and work in those areas.

The changes the bill makes to the Building Act 1975 outline how unworkable the Wild Rivers Act is. These changes force councils to change their planning schemes to adopt the standardised rainwater tank provisions under the Queensland Development Code. I cannot believe the impost that this new section forces on councils. The bill gives councils a year to do this. However, a planning scheme is a holistic approach. Recently, a number of councils finalised their schemes and now the government is asking them to change them. Will this mean that councils will have to go through the whole IPA process again to get approval for these provisions?

The bill also amends the Valuation of Land Act 1944 to standardise objection lodgement provisions as they apply to annual and non-annual valuations. The Queensland coalition is supportive of any measures that reduce confusion that may arise when people wish to lodge an objection to the valuation that they have received.

In summary, this legislation winds back Labor's 2004 election commitment to protect wild rivers. It increases the opportunity for mining in wild river areas. It allows local government to quarry within a wild rivers area. It allows for agricultural practices and, in particular, animal husbandry and the growing of fodder crops within a wild river area. I still cannot believe that the Labor Left is conceding so much to mining and agricultural operations. It is simply amazing. It shows that the Left is having a sudden mid-life crisis. All of a sudden, it has changed its antidevelopment tune. I welcome this change, and I welcome it for the good of Queensland.

It is important to realise that the wild rivers legislation that we are debating today is the first and the only legislation of its kind in Australia. That means that this type of legislation is not necessary in order to plan and protect our environment. The question must be asked why the outcomes of wild rivers legislation could not be achieved through other planning acts that are being amended by this legislation. This bill makes a lot of concessions to industry. We welcome these changes, because it winds back the unworkable wild rivers legislation. The Queensland coalition believes that this bill does not go far enough and recommends that the government consider making concessions and amend the bill and also the subordinate legislation that accompanies the bill.

The Queensland coalition would like to see flexibility in applying buffer zones to allow for practical outcomes for those stakeholders who are affected by legislation. We would like to see clarification on the water moratorium put in place throughout the cape. This moratorium unnecessarily holds up development for an undefined period. The coalition would also like to see the inclusion of arbitrary water caps in high-flow areas. The gulf and the Mitchell WRPs could do this as well. There is no reason to restrict allocations

such as these, especially with the push towards drought preparedness and farmers growing their own fodder crops.

When the declarations are made for wild rivers, will the government ensure that the consultation process does not occur in the wet season? Last year when the consultation process for the original bill occurred, the government showed a complete lack of understanding of the weather conditions in north Queensland. Most people in north Queensland cannot leave their properties during the wet season. They are flooded in. They cannot attend public information sessions. So when declarations are made, I ask the government to ensure that the consultation on them does not take place during the wet season.

The opposition will keep a watching brief on the subordinate legislation that is connected to this bill to ensure that the concessions made by stakeholders in supporting the legislation are honoured and not eroded by regulation. We certainly have concerns about a few of the fodder crops. I know leucaena has been mentioned. It is grown over a large area in the cape. I also refer to buffel grass. It is a good fodder crop that our graziers use. We will be asking some questions during the consideration in detail, if we have time, and we will study the bill in further detail.