



Speech by

Carolyn Male

MEMBER FOR GLASS HOUSE

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WILD RIVERS AND OTHER LEGISLATION AMENDMENT BILL

Ms MALE (Glass House—ALP) (4.46 pm): I rise to support the Wild Rivers and Other Legislation Amendment Bill 2007 which highlights this government's determination to preserve the natural assets of our majestic wild rivers for this generation of Queenslanders and for generations to come. A critical aspect of the Wild Rivers and Other Legislation Amendment Bill has been the amendments that provide a process for making and amending the Wild Rivers Code. Members of this parliament will be aware that the bill approves the Wild Rivers Code made by the minister, provides a process to amend the code, and allows plant species that pose a high or moderate risk to the natural values of a wild river to be listed in the declaration rather than in a general regulation.

The Wild Rivers Act achieves its purpose of preserving the natural values of wild rivers in a number of ways. One of these is to apply conditions on certain types of future developments in wild river areas to minimise their impact on the natural values of the river system. The code outlines those conditions that must be applied during the assessment of a development application. The conditions will be applied by the state agency or local government presently responsible for that particular type of development assessment in that area. The conditions are linked to the wild river natural values through a number of required outcomes that must be met before the application can be approved.

For example, a required outcome for a new agricultural development is that contaminated run-off and tailwater must not degrade the quality of receiving waters. These types of rules are a common-sense approach to preserving the natural values of the wild river system. In many cases these common-sense rules are already applied voluntarily but by having them in a code it means that all new developments have to comply, making it a level playing field for everyone in the area. It would be unfair if those doing the right thing were disadvantaged by others who are more interested in short-term profits rather than sustainability.

With each of the required outcomes the code provides a number of probable solutions which will achieve the outcome if used. For example, to protect water quality in an adjacent stream new developments may be required to be set back 200 metres from the stream. This assists developers to choose to implement a probable solution as part of their application and know it will be acceptable. Alternatively, the developer can offer another solution which will be accepted if it achieves the required outcome. For example, the development could be located closer than 200 metres from the stream if measures such as bunds were installed to prevent polluted run-off reaching the stream. This provides flexibility for the developer and allows innovation to be used to achieve the required outcome.

The code applies to 12 types of development activity that may be captured by a wild river declaration. These activities include agricultural and animal husbandry activities; aquaculture development; those works deemed as environmentally relevant activities by the EPA; works in tidal areas; residential, commercial and industrial developments; works for taking or interfering with overland flow; waterway barrier works; in-stream works; extraction of quarry material from the river; native forest production on state lands; and native vegetation clearing.

For each development activity the code provides a range of required outcomes. These outcomes are aimed at trying to preserve the natural values of the wild river area. That is what this legislation is

about. It is about protecting those natural values not just for now but for the future as well. The code will be used with other existing codes by assessing agencies under the Integrated Planning Act, hence applying the code will not be a large impost for assessing agencies which could be state government departments or, as I said before, local governments.

The bill will add provisions to allow the minister to amend the code as needed subject to Governor in Council approval. This will ensure that the code remains relevant and workable. For example, if better ways of achieving a required outcome are found they can be included in the code. The Governor in Council's approval with the amended code has to be gazetted and tabled in the House. The bill does not outline a formal consultation process for amending the code; however, the minister has committed in this House to have the department undertake such consultation as needed. Clearly if the change is minor or of little consequence it is pointless to consult widely.

Similarly the bill outlines a few circumstances that would not require an amendment to be tabled in the House. These are changes to a definition used by the code, changes to a probable solution and any changes needed to reflect approved changes to a regional vegetation management code.

The bill will approve the code and introduces a process for amending the code in the future. Under the existing legislation the minister can make and amend a code without any formal steps. These amendments provide for more rigour and transparency in the approval process. I commend the bill to the House.