



Speech by

**Hon. Ken Hayward**

**MEMBER FOR KALLANGUR**

Hansard Thursday, 22 February 2007

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## **WILD RIVERS AND OTHER LEGISLATION AMENDMENT BILL**

**Hon. KW HAYWARD** (Kallangur—ALP) (4.10 pm): In rising to participate in the debate on the Wild Rivers and Other Legislation Amendment Bill, I would like to address how the declaration of wild rivers will impact on the way people carry out their business in affected areas. There is no doubt that the declaration of a wild river will change the way people do business. But the important issue to understand is that usually that declaration will not stop business. The wild rivers policy ensures that the living standards of communities in remote areas of the state will not be impeded. The legislation also ensures that essential services, such as water and sewage treatment, the construction of roads, the storage of chemicals and fuel, even if close to the river, can be advanced. Industry will also be able to undertake low-impact mineral exploration.

This afternoon, members of the opposition have presented the argument that somehow this legislation will stop development and that it will not allow people who live in the affected areas to carry out their normal activities. Everybody knows—and those members know this in their own hearts—that such things are rubbish. As I said, low-impact mineral exploration, mining under rivers and fodder protection will be allowed to maintain or increase the economic base of these communities. That will be achieved by striking a balance that still affords protection of these wild river systems. That is what this legislation is all about: balance.

The effect of a wild rivers declaration will have four outcomes on the way people do business. Some development activities will require a permit when previously this was not the case. Some activities which previously required a permit will need to comply with the wild river requirements as set out in the code. Some activities will need to comply with the rules as set out in the declaration. The essence—and the reality—is that some activities will be prohibited.

Agricultural activities, as defined by the Wild Rivers Act, will require a permit in a wild river preservation area. It is important to understand that existing activities do not require a permit. The term 'agricultural activity' refers to new activities that cause extensive soil disturbance, require significant infrastructure or irrigation, or involve species that may pose a threat to the natural values of the river. It does not include producing crops for domestic needs, baling or cutting pasture, or low-impact pasture improvements. The term 'animal husbandry' refers to intensive feedlot type establishments, for example, a piggery, dairy or feedlot. It does not include the usual supplementary feeding for typical grazing operations. For landowners to start a new agricultural activity or animal husbandry activity, a permit will have to be applied for and approved prior to the commencement of that activity.

That is what we would expect. I think that is reasonable. The application will have to demonstrate that the activity will comply with the required outcome, that is, to preserve the natural values of the wild river area. For most landowners, these rules will not be anything different from their current good practice, but they mean that all people must comply and that people are not disadvantaged by doing the right thing if their neighbour chooses not to do so.

The Wild Rivers Code applies to a range of activities. The Wild Rivers Code will stipulate certain rules that must be complied with before applications will be approved. There are already a range of existing activities where a permit is required and certain conditions must be adhered to. These activities

include removing riverine quarry material, building upstream waterway barriers and aquaculture development. So if an area is declared a wild river area, for these activities there will be extra requirements that must be met. The agency that assesses applications will be the same as it is now. The agency will have to assess the wild river requirements only as an add-on to the existing application. The government believes that that measure will add very little to the existing workload and will not increase the time frames for decisions.

Then there are the wild river declarations. Each declaration may have sections that regulate the taking of water from the wild river area and will state conditions that will apply to mining tenements and mining environmental management plans and environmental authorities for petroleum activities. A wild river declaration can state the total volume of water that may be taken from a wild river area and reserve it for particular purposes. The declaration cannot impact on existing entitlements.

A wild river declaration may also provide conditions to apply to mining tenements and can also be put in rules that must be considered in determining an environmental impact statement and an environmental management plan for mining activities. The wild rivers declaration will state conditions that must be complied with and issues that must be considered in approving an environmental authority for petroleum activities.

Obviously, to protect the natural values of the wild river areas, some developments and activities have to be prohibited. The government has consulted widely on these provisions. Some previously prohibited activities are now permitted as a result of the changes to the act that were made last year. These include low-impact developments that are necessary for the economic development of wild river areas. Those activities that are prohibited include in-stream dams and weirs, mining in high-preservation areas, mining within nominated waterways, planting or harvesting a crop or pasture if the species is at a high risk of becoming a pest, and the release of non-indigenous fish into the waterways of the wild river area.

I would think that all the members of this parliament would support all of those measures. It is basic and obvious that those sorts of activities should be prohibited, particularly in wild river areas. These prohibitions apply only to new development activities. Developments and authorisations existing at the time of a declaration are not affected by these rules.

In general, although the Wild Rivers Act creates more rules for the development of wild river areas, it needs to be recognised that this legislation is not retrospective in any way. Existing developments and authorisations can continue to operate as they have done prior to a wild river declaration. For example, existing agricultural activities will not be required to apply for a permit to continue their operations. The wild rivers policy recognises these existing operations and it has put in mechanisms to identify them as registered areas of agriculture. This registering will enable landowners to apply for clearing of regrowth in these areas.

The rules relating to wild rivers are to protect the natural values of these unique areas. I think, in most part, they are common-sense rules that most good land managers would already comply with. I commend the bill to the House.