



Speech by

## Rosemary Menkens

MEMBER FOR BURDEKIN

Hansard Thursday, 22 February 2007

---

### WILD RIVERS AND OTHER LEGISLATION AMENDMENT BILL

**Mrs MENKENS** (Burdekin—NPA) (4.34 pm): I rise to support the opposition's view with my contribution on the Wild Rivers and Other Legislation Amendment Bill 2007. A wild river is a river system that has all or almost all of its natural values intact—and I will speak about that a bit later—that is, the river system is virtually untouched and in almost pristine condition. This bill seeks to amend the original act, the Wild Rivers Act, after the declaration of wild rivers was successfully challenged in the courts by a landholder, Mr Scott Harris.

The purpose of the act was to regulate most future development activities within the declared wild river, its major tributaries and catchment areas. The act outlines a process in which a river can be declared wild. Firstly, the minister for natural resources can propose a river for declaration, which then must go through a process found in the act to be declared wild. The act does not list any rivers as wild, as the process is required. The proposal is then announced through a public notice of intent which is published in state and local newspapers. The community is invited to comment also on the proposal, which they have in this case.

Six river areas were then proposed to be declared as wild rivers—Gregory River, Settlement River, Fraser Island, Hinchinbrook Island, Staaten River and Mornington Inlet. Since the declaration of these rivers as wild was successfully challenged in the courts, Labor members want to have another shot at declaring them wild by attempting to circumvent the guidelines set out in the act that they themselves introduced with the bill. This amendment sets out to declare those previously mentioned areas as wild river areas, to validate all notices published under the act in regard to these wild river areas, to declare the code made by the minister on 30 January 2007 to be the Wild Rivers Code and to provide a statutory process to amend the Wild Rivers Code for the purposes of the act.

The Queensland coalition supported the Wild Rivers and Other Legislation Amendment Bill 2006 on the grounds that it weakened the original legislation. However, the Queensland opposition opposes this bill for many reasons, and I would like to enlarge on some of those. Firstly, the legislation is already redundant because Fraser Island and Hinchinbrook Island are already covered by World Heritage listing. In addition, the Vegetation Management Act 1999 already regulates the clearing of vegetation, meaning important environmental areas are already protected by legislation. The question must be asked: what really are the values that this legislation is trying to protect?

The declaration of wild rivers is inconsistent with the federal government's Murray-Darling plan, which is moving high-water consumption industry from low-rainfall areas to high-rainfall areas. This is obviously to help ease the burden on areas of low-water availability, even more so considering the current water situation in Queensland.

AgForce does not support the wild rivers legislation because it says its implementation fails to recognise sustainable development, adds to further an increasing amount of regulation burdening landholders and severely hinders future aspirations and rights to develop. The declaration of a wild river effectively hamstring economic practices and the use of technology to improve management practices by locking any development into the 2005 technology.

The Queensland Resources Council will oppose any future declarations of wild rivers, especially in the cape area where large deposits of bauxite have been discovered. The Northern Gulf Resource Management Group Ltd is also opposed to the bill and it would like to see a different system that allows for the formalisation of the process of independent property plans that override legislation. Coalition policy differs greatly from Labor policy, as the coalition believes that conservation and sustainable economic development can coexist. The coalition is concerned that the legislation has the potential to prevent far-north communities from future social and economic development.

The simplistic view of this bill does not take into account many collateral effects which could cause problems in the future. For example, this legislation does not take into account weeds, which are a serious problem due to the climate of the area. This legislation will prohibit large-scale weed management from taking place. It also does not take into account why the river is in such pristine condition in the first place. It is undoubtedly the land management efforts of generations of local farmers, local graziers and the local Indigenous population which have kept the wild rivers in such good condition.

Further problems, such as the impact of the tourism industry, also have not been fully realised. The development of low-environmental-impact tourism infrastructure could be brought to a halt under this act, which once again shows the oversimplified policy of the Labor Party which presents the idea that development and conservation cannot coexist. Not only can they coexist; ideas can be presented that actually further conservation of wild rivers and the environment in general.

The development of a tourist industry that has its visitors spend even a small amount of time taking an active role in conservation is just the tip of the iceberg of what can be achieved. Most, if not all, people who visit the rainforest come back with an elevated respect for nature and conservation. Why are the farmers and residents who dwell on or near the proposed wild river areas treated with such contempt?

In addition to these problems, the actual mapping of declared areas also comes into question. The state department uses maps to a scale of one to 250,000 while local landowners are using maps to a scale of one to 10,000 and one to 25,000. This creates the obvious problem of incorrect mapping by the department. Landowners could have their rights infringed due to nothing more than sloppy mapping. This coincides with the fact that this legislation would be almost impossible to police. The likely outcome of this would be that the act could be ignored by some and, on the other side of the coin, affected landowners would be able to battle the government in court where they can prove by using more detailed maps than are currently being used by the government that the state has infringed onto their land.

It seems that this legislation is targeted at low-population and low-development areas—areas that are populated by more conservative people who are thought to be less likely to protest. The hypocrisy of the situation is that these are the people who have managed the rivers for three and four generations. The rivers have now been determined by the current government to be pristine or near pristine even though these rivers have been locally managed for decades. Let us face it, it is the people who own the land who love the land. It does not matter whether people live in the city or in the gulf—if they own the land, they love the land; they protect it and they conserve it.

Further legislation on wild rivers is, at best, pointless and, at worst, highly damaging, especially when the World Heritage Act and the Vegetation Management Act already protect what needs to be protected. I am concerned the explanatory notes state that the code arguably has a legislative character. It is arguable under the Legislative Standards Act 1992, section 4 subsection 4 part B, that the process for approving amendments to the code does not provide sufficient scrutiny by the Legislative Assembly.

This legislation is purely a diversionary tactic to direct attention away from Labor's real problems of water management and corruption. This legislation would amount to the third layer of legislation on Fraser and Hinchinbrook islands, making it overly cumbersome and completely pointless. It was just this week that I questioned the minister about the Beattie Labor government's plan to close vehicular beach access to an 18-kilometre stretch of Fraser Island north of Hook Point. This closure would force up to 34,000 cars a year to use the alternative inland route, which is more dangerous and has the potential to cause far more environmental damage.

**Mrs Reilly:** What does this have to do with wild rivers? It is not wild rivers.

**Mrs MENKENS:** Yes, but Fraser Island is now coming under the wild rivers legislation. Stopping local and visiting families and fishers from using cars on a stretch of Fraser Island beach has the potential to put lives in danger and cause much more environmental damage than would be prevented by taking those vehicles off the beach. Hundreds of cars a week are dropped off by the barge at Hook Point on Fraser Island. Closing the beach access will instead divert this traffic to the inland logging track. This is not equipped to handle the high volume of traffic. Even with heavy traffic, one tide change washes away tyre marks on the beach. Yet I understand the inland roads have had to be closed in the past due to erosion.

Locals fear that there will be more accidents as a result of this traffic diversion and they are worried that this is the first step in an insidious Beattie Labor government plan to gradually close down the access to Fraser Island by Queensland families and fishers. Fraser Island is one of Australia's iconic destinations and recreational fishing, boating and camping must continue because this is the major use and economic driver of the island, regardless of wild rivers. It should be the role of the state government to encourage

outdoor recreation. There seems to be no reason why the minister is locking up the Fraser Island beach. These visitors to places such as Fraser Island are responsible people. They are aware of the superb natural environment and its pristine condition. They are the people who have helped preserve Fraser Island and keep it in its pristine condition.

The wild rivers legislation is not popular with many groups, including AgForce, the Queensland Resources Council and the Northern Gulf Management Group. This bill does nothing more than score political points at the expense of the residents of low-population areas who have already shown diligence in the maintenance of their local river systems.

The major problem with this bill is that it restricts development. The term 'wild rivers' will truly come into being in about 10 years time. Because there is no effort to actually manage these rivers, they truly will be wild in years to come once feral pests and weeds invade. Staff from National Parks and Wildlife are struggling to keep weeds and pests out of the national parks they currently manage. By locking up these rivers they will no longer be kept in the pristine condition they are in. I will not be supporting this bill.