




Speech By
Hon. Dr Steven Miles
MEMBER FOR MOUNT COOT-THA

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AGRICULTURE AND OTHER LEGISLATION AMENDMENT BILL

 **Hon. SJ MILES** (Mount Coot-tha—ALP) (Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef) (5.34 pm): In rising to participate in this debate on the Agriculture and Other Legislation Amendment Bill 2015, I would like to address the amendments in this bill that seek to continue provisions for the management and administration of forest reserves in Queensland. The Nature Conservation and Other Legislation Amendment Act (No. 2) 2013 is being amended by this bill to ensure that forest reserves can continue to be managed into the future.

The forest reserve tenure was created in 2000 as a transitional tenure to support the statewide forest planning processes, which involved the transfer of state lands such as state forests into the protected area estate. Through this process, various lands across the state were transferred into forest reserve tenure, which allowed time for further assessment of the uses and values of these lands prior to their transition to a final tenure—usually to a class of protected area such as national park.

The NCOLA legislation of 2013, which, as I have indicated, is being amended by this bill, contains provisions which automatically repeal sections in the Nature Conservation Act 1992 relating to the management and use of forest reserves and removes references to forest reserves from other relevant Queensland legislation. However, these provisions must continue beyond their scheduled date of removal in early November 2015, as there are still 38 forest reserves in existence.

In 2013 when the NCOLA was passed, it included provisions to repeal legislation used to manage forest reserves. These provisions were drafted to commence by proclamation at a later date in anticipation that all remaining forest reserves would be subsequently moved to a final tenure and the forest reserve legislation would then become redundant and could be removed. Over 180 forest reserves have been dedicated since 2000, and most of these have been converted to another land tenure. However, it has taken longer than originally anticipated to finalise the transfer of the remaining 38 forest reserves, and we must ensure that appropriate legislation for managing these lands remains in place. This will be achieved through this bill.

Without the amendments contained in this bill, the existing legislative framework for managing forest reserves will be repealed as a consequence of the automatic commencement of provisions in the NCOLA legislation. Removal of this framework would result in a situation where the Queensland Parks and Wildlife Service would continue to be responsible for managing this land. However, the specific legislation established to manage forest reserves would no longer exist. If this were to occur, ongoing management by QPWS rangers would become legislatively complex and inefficient. For example, without the existing provisions for managing forest reserves, QPWS would need to apply for a permit under the Fire and Emergency Services Act 1990 before any controlled burn could be undertaken—currently such activities are exempt in recognition of the efficiencies of QPWS staff managing such activities on these lands.

Similarly, the law of trespass would have to be used to try to control access and use, and existing mechanisms available to manage commercial and other uses of the land, such as commercial activity permits and agreements, would disappear, leaving tourism operators and other such users without formal agreement to access these areas. I am sure that all members of the House would agree that allowing such a situation to occur is not in the best interests of the agencies charged with managing these lands or the community members who use them. To prevent this situation from occurring, this bill will repeal the relevant provisions from NCOLA, thereby ensuring an appropriate legislative framework remains in place to manage the remaining 38 forest reserves until they are transferred to another tenure in the future. These amendments will result in no change of management on these forest reserves. The bill simply ensures a continuation of the existing legislative framework which has been in place over the last 15 years. I commend the bill to the House.