Speech By

Dale Last

MEMBER FOR BURDEKIN

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VEGETATION MANAGEMENT AND OTHER LEGISLATION AMENDMENT BILL

Mr LAST (Burdekin—LNP) (11.50 am): I rise to speak to the Vegetation Management and Other Legislation Amendment Bill 2018. At the outset I say that the LNP will be opposing this bill. Furthermore, during consideration in detail I will be proposing a number of common-sense, practical amendments, which I will elaborate on in due course.

There is a reason 500 farmers protested outside this parliament earlier today. There is a reason thousands of farmers from around the state attended public hearings conducted throughout Queensland by the State Development, Natural Resources and Agricultural Industry Development Committee. There is a reason 17,500 people signed a petition protesting the introduction of this bill. That reason is anger—anger that this Labor government is demonising our farmers and introducing the most draconian vegetation management laws that the state has ever seen.

This bill breaks all the rules of responsible governance and, by doing so, breaks the Labor Party's election commitment to govern for all Queenslanders and not just the people in Brisbane who voted for it. From the outset, I say that this bill is not based on facts; it is built upon a rotting foundation of extreme green ideology, shonky science and an ugly manifestation of the city-country divide. It is the kind of bill that sums up the white-hot frustrations the electorate has with our political system, in placing the ascetical notions of perceived ethical action ahead of the very real and direct impact these laws have on people. To put it simply, this is politics over people and those opposite should hang their heads in shame that they are a party to it.

These laws have a very real impact on our Queensland farmers and the rural and regional communities they support. Unfortunately, the very people these laws will hit the hardest were not given a seat at the table when the laws were written up. Agricultural groups and regional communities were not consulted before this bill was put before parliament. Farmers and their communities had the door slammed in their faces, while green groups cosied up to the government to get the bill that they wanted. To use the Queensland Farmers' Federation's own words—

> Disappointingly, the government did not consult with the agricultural sector and key stakeholders before the 2016 bill was introduced and nor has it done so before tabling the 2018 bill.

Canegrowers CEO Dan Galligan said, 'There has been no consultation on this matter.' The advocacy group representing fruit and vegetable growers, Growcom, said it was 'deeply disappointed by the lack of consultation with the intensive agriculture sector during the development of this Bill and its previous iterations.'

On 8 March the bill was introduced into parliament, with the committee required to report back to the Legislative Assembly by 23 April 2018. That is right: seven weeks to consider a bill that proposes the biggest changes to the agricultural sector in Queensland's history. Despite calls for a regulatory impact statement, a process that would have examined the environmental, social and economic impact the amendments would have on our farmers and local communities, in its infinite wisdom the department decided not to complete an RIS—wait for it—'due to the need to avoid both panic clearing

and pre-emptive applications for approvals that would negate the effect of the legislative changes to which the Government has committed'. What a slap in the face for our farmers. That illustrates clearly the attitude that this government has for our farmers and its lack of trust in them to do the right thing. Those farmers have been managing their land in some cases for generations, they know their land like the backs of their hands and they have a vested interest in taking good care of it.

The QFF and the LGAQ quite rightly called for an RIS process to be undertaken prior to the approval of the bill to enable a comprehensive understanding of the environmental, social and economic impacts across all Queensland communities. Little to no consideration has been given to the second-order effects that will likely mean that Queensland farmers and graziers will be unable to meet the food and fibre demands of the future. Make no mistake: if passed today, this bill will deliver a sledgehammer blow to our rural and regional communities, it will cost jobs and it will impact on the economic prosperity of some of our rural communities at a time when they can least afford it. During the committee hearing process, departmental officers admitted that they had not undertaken any modelling in relation to the effect the proposed legislation will have on agricultural production across the state into the future and nor did they have any intention of conducting any modelling.

During the hearings on 12 April 2018, the committee received testimony from Mr Scott Dunlop, a fourth-generation grazier from the Proston district, who articulated his concerns with regard to the potential economic and social impacts of the bill. He said—

Has the government done production modelling? We all talk about the work of our country and the rest of the world needing to be fed, housed, and clothed. These laws are going to reduce the amount of production that our country can contribute to that.

I think the economic modelling is extremely important. I do not think it has been considered at all how this is going to affect individual operations, which in turn is going to affect all communities ... This legislation is going to cause a significant downturn in employment and the death of rural communities. Our banks require modelling and budgets from us as business owners, but has the government prepared modelling and budgets to ascertain the extent of the negative effects on primary producers, businesses and the subsequent fallout to the communities in which they live?

That is a fair question.

It may come as a surprise to those opposite that the LNP is committed to environmental protection and laws to ensure that land clearing is undertaken in a properly regulated manner so that biodiversity is protected, along with our streams and rivers, particularly in the catchments of the Great Barrier Reef. Certainly, we are not advocating widescale unregulated land clearing. However, our chief concerns stem from the fact that the Palaszczuk Labor government's approach is not fair to thousands of Queensland farmers who have invested in their land, livestock and farming equipment with the clear expectation of being able to manage their properties to generate returns to pay their bills and service borrowing costs, as in any normal business enterprise.

If passed, these laws will have significant impacts on property valuations and, in some cases, place farmers in severe financial difficulty. I have heard firsthand from graziers such as Blair and Josie Angus from Kimberley Station at Moranbah about the impact that these changes will have on their land valuations, not to mention the impact on carrying capacity or earnings capability. Blair and Josie are doing the right thing: they are managing their property in a sustainable and responsible manner, with a view to developing it to increase production and profitability. Of course, that is now in jeopardy. If these laws are passed they will lose $3.1 million on the valuation of their properties. That is a pretty sobering thought.

Mrs Frecklington: How much?

Mr LAST: $3.1 million. That shows the real cost of these proposed laws and one can only imagine what it would equate to if multiplied across Queensland. These concerns are heightened at a time when Queensland needs sustainable growth opportunities, particularly in regional areas, which have suffered prolonged drought and loss of employment opportunities. I am particularly concerned that farm management and development projects will be stymied by Labor's proposed laws, which will place further pressure on jobs, particularly in rural areas. There is no question in my mind that, under the thin veil of protecting the Great Barrier Reef and reducing Queensland's carbon emissions, this Labor government is introducing vegetation management laws designed to garner inner-city green votes at the next election.

Whilst we knew that these laws were drafted behind closed doors in collaboration with the green groups, the greatest insult has been the farce that was the committee review process. The committee conducted six regional hearings in Rockhampton, Townsville, Cloncurry, Longreach, Charleville and Cairns, with more than 1,000 Queenslanders filling venues to have their say on the laws. I attended some of those hearings and saw firsthand the frustration and the anger that was evident in the people attending.

The committee heard firsthand accounts from farmers and industry groups who spoke from the heart and gave evidence believing that the government would take on board this advice and make the necessary changes to the proposed legislation. How wrong they were. It sickens me to say it, but the public hearings were a sham.

Despite overwhelming evidence calling for change, the Labor dominated committee disregarded the more than 1,000 Queenslanders who showed up to the regional hearings as well as the 13,000 plus who had their say through submissions by not making a single recommendation to change this legislation before the House. The only recommendations offered by the committee are those that try unsuccessfully to fix the issues these laws create in the first place.

The LNP members on the committee submitted a dissenting report for a number of reasons, including inter alia the lack of any meaningful consultation with industry groups and the broader community upon whom the laws will directly impact. AgForce described the recommendations the Labor MPs submitted from the committee process as 'an absolute disgrace' and 'a slap in the face' for farming families who took the time to have their say and travel vast distances to give evidence. QFF went one step further in condemning the entire parliamentary committee process, saying that it had failed farmers, regional communities and the environment. This whole process has clearly shown that the Labor committee members are completely wedded to a political agenda. Their attempt at consultation should be seen for what it was—a charade.

Whilst the LNP rejects in principle the laws as flawed and unfair, there are a few areas in particular where the proposed laws completely overstep the mark. One such area is the complete removal of high-value agriculture and irrigated high-value agriculture development approvals. Labor's justification for removing these already heavily regulated clearing provisions from the act has been ill-informed and inconclusive.

For example, IHVA has been a successful policy. It has enabled responsible small scale clearing to realise best management practices and positive environmental outcomes. Across all of Queensland only 5,608 hectares had been approved to be cleared under IHVA since that was brought in between 2 December 2013 and 5 February 2018. To put that in context, as a percentage of the total land use for agriculture, that is 0.0039 of one per cent.

These IHVA clearings delivered incredibly high economic returns and job creation. For example, according to QFF, if those 5,608 hectares that have been approved for IHVA clearing were used in the following industries, the regional economic stimulation and job creation would be as follows: the sugarcane industry, $28 million in additional gross state product and 1,203 direct jobs; the mango industry, $89 million in additional retail value and 617 direct jobs; the banana industry, $269 million in additional gross value of production and 2,243 direct jobs; the macadamia industry, $73 million in additional wholesale value and 196 on-farm jobs; and the cotton industry, $39 million in additional value and 65 on-farm jobs. These are real jobs for Queenslanders.

The value these crops produce and the people they employ go a long way in our rural and regional communities. Removing these provisions and only leaving a costly bureaucratic state development application process will stifle agricultural agility and growth in the state—an unacceptable and inequitable outcome.

It is our high-value and irrigated high-value agriculture that provides the food and fibre we rely on to feed and clothe us. There is a simple slogan that sums this up—and we heard it outside at the rally this morning: no farmers, no food. How true is that. High-value and irrigated high-value agriculture is crucial to Queensland's economy, providing tens of thousands of jobs and revenue for this state. Despite what the minister has said, these amendments will bring the development of high-value and irrigated high-value agriculture to a halt. It has simply become too difficult.

The bureaucracy and red tape surrounding applications to clear land under the umbrella of HVA and IHVA is such that farmers will simply not bother. That is a blight on this government and the process that they have implemented. That they would choose to go out of their way to make it more difficult for our farmers to develop their land is nothing short of disgraceful. The justification for removing these successful and sustainable provisions is flawed. In the consideration in detail stage I will be moving amendments to address this issue which I believe are practical and more streamlined.

The proposed expansion of high-value regrowth, category C, will add an additional layer of regulation under the vegetation management framework on leasehold, freehold and Indigenous land. The inclusion of regrowth that has not been cleared for 15 years will lock up over 862,506 hectares of land as part of this proposed change. This bill will extend the protection of high-value regrowth vegetation to align with high conservation values—and I question that—by amending the definition of high-value regrowth to be vegetation that has not been cleared for 15 years.

This creates enormous issues for farmers being able to productively use their land and plan for the future. When we consider that parts of Queensland have been in the grip of drought for over six years we start to appreciate that the reduction from 29 to 15 years will have a significant impact on farmers wanting to clear regrowth. One farmer said to me earlier today, 'When you clear brigalow it grows back like hairs on a cat's back. If you do not stay on top of it, you will ultimately lose valuable grazing country.' That is the reality. Our farmers know how to manage their land. These proposed laws are taking that option away from them.

The fact that the government is proposing to lock up previously accessible land without compensation is yet another kick in the guts for our farmers. Our farmers are within their rights to ask the question: will I be compensated for the loss of productive land? I wait with bated breath for the minister's response to that question. Why should they not be compensated? After all, many of our farmers purchased their properties in good faith and on the understanding that they would be able to develop this land, improve their cash flow and provide a future for their children. In many cases, they have had the rug completely pulled out from beneath them. In some cases, they will be driven to the wall.

I want to briefly touch on the practice of our farmers in the western areas of the state to clear mulga for the purposes of drought fodder. I take on board what the minister said in his contribution. I know my colleagues from Gregory and Warrego will expand on this practice, but suffice to say the proposed amendments to managing fodder harvesting for drought management will become more cumbersome and ultimately more expensive for our farmers engaged in this practice.

These farmers utilise mulga as a source of feed for their stock during times of drought. The last thing they need is an extra layer of red tape as part of the approval process. The amendments as proposed will make the clearing of mulga for fodder almost unworkable, which again defies logic. I will be proposing amendments in line with feedback from farmers and industry groups regarding vegetation clearing for fodder in the mulga lands.

Last week I had the opportunity to meet with John Frederickson, a grazier in Moranbah, who expressed his frustration with the proposed amendments regarding managing thickened vegetation. The amendments clearly demonstrate how out of touch this government is when it comes to managing thickened vegetation or, as it is commonly called, tree thinning. This particular grazier was explaining to me how he is required to get on and off his dozer to measure the circumference of trees and the distance between trees to ensure compliance with the legislation. As members would appreciate, constantly getting on and off a dozer with a measuring tape is impractical and unworkable. This again highlights the lack of thought and common sense around this bill.

The proposed inclusion of provisions that facilitate the purposeful creation of administrative and bureaucratic blackholes through the development approval process is unacceptable. These costly and time-consuming processes have been deliberately established as a bureaucratic deterrent for farmers who want to manage their vegetation and should, at the very least, be limited with administrative due diligence clauses and time limits to ensure the process at least attempts to offer a solution to those who wish to clear their land.

It is well and good for the minister to stand up here today and say that there are millions of acres out there available for development—category X country, as he calls it. The reality is that the application process for our farmers is a bureaucratic nightmare. I will be moving a deemed approval amendment in consideration in detail around this particular provision.

The provisions within the bill relating to compliance action where unlawful clearing has been undertaken or where there is suspicion it is occurring defies logic. Of particular concern are the provisions giving authorised officers greater powers than Queensland police officers when it comes to the power of entry. The proposed powers will allow these staff to enter a landholder's property without a warrant or the owner's consent if they reasonably believe that a clearing offence has occurred. As a former police officer, I have grave concerns with the extent of these powers and I will be moving amendments relating to this provision during consideration in detail. Ms Wendy Divine from the Queensland Law Society outlined her concerns with this overreach at the Brisbane hearing when she said—

Our concern ... is that if the trigger for exercising the power of entry is that an officer has a reasonable belief that an offence has happened or is occurring our question is around the standard of proof that is going to be applied to that. If there is sufficient evidence to indicate that an offence is occurring or has occurred, we query whether the more appropriate method is to take that evidence to a magistrate and obtain a warrant rather than rely on an administrative process of giving 24 hours notice to enter someone's property.

Police officers have powers under the Police Powers and Responsibilities Act to conduct investigations into certain offences. Under section 160 of the PPRA, police have a power to 'enter a place without warrant' if they believe evidence for a part 2 offence may be concealed or destroyed unless the place is immediately entered and searched. However, under section 161, the police officer then has to apply to a magistrate as soon as reasonably practicable after exercising the powers of section 160 for a post-search approval order to have the entry and any evidence seized authorised as if a warrant were obtained. The Queensland vegetation enforcement unit does not, effectively giving them more powers than our police officers. If this part of the law is to remain then a similar post-search approval order should be included in the section to have the entry and seizure of any evidence approved by a magistrate.

It is very clear that the science these laws are based upon is not settled and, in many cases, flawed. These laws are based on ideology, not science. Even the government's own scientific adviser responsible for the satellite mapping technology said that vegetation regrowth could not be properly mapped and therefore the jury was out on the true rate of vegetation loss. It may come as a surprise to those opposite that, after clearing, trees grow back and in many cases they grow back thicker than the original vegetation. By SLATS's own admission there is no mapping of regrowth. This legislation has been introduced using SLATS data that fails to be based upon science. I have a pretty big electorate and I can assure members that there is a lot of regrowth in Queensland. When you drive around and see the extent of the regrowth, you really get an appreciation of the trees that are growing back right across this state. I see the member for Gregory nodding his head because he sees it as well when he is driving through his country.

To not base this legislation on science fails to tell the whole story on the extent and type of vegetation in Queensland. It defies belief that this minister would come into this place and introduce legislation that has no basis in science, is not supported by accurate mapping and is clearly reliant on flawed data. I recently visited Bruce Semple's property Coolibah at Dysart where he showed me his property maps of assessable vegetation, or PMAV. During my visit I inspected a stand of virgin brigalow comprising approximately 200 acres which is not showing on his PMAV, and this is despite Bruce making several attempts to have this anomaly rectified.

I have heard time and time again from farmers across this state about the inaccurate recording of vegetation on satellite imagery—lantana and woody weeds being shown as remnant vegetation and particular types of trees being shown in areas where they have never grown. The list of complaints is endless. I say this to the minister: your mapping is inaccurate and, until such time as you put departmental staff on the ground to verify the accuracy of your maps, you should not be proceeding with this bill.

The total area of Cape York is around 14.5 million hectares and the total area of land that is being transferred to Aboriginal freehold is around 5.7 million hectares. Of those 5.7 million hectares, about two million is in Cape York Peninsula Aboriginal land national park and about 3.7 million hectares is unencumbered Aboriginal freehold. This land is owned by and is home to about 10,000 Aboriginal people who live in Cape York. Indigenous leaders, especially on Cape York, see these laws as an unfair restriction on the ability to realise the potential of their lands and provide sustainable futures for their people. At the Cairns public hearing Mr Shannon Burns from the Cape York Land Council Aboriginal Corporation said—

The amendments to the Vegetation Management Act proposed by this bill would have significant impacts on Aboriginal land on Cape York. The proposed amendments would have the effect that virtually none of the 3.7 million hectares of unencumbered Aboriginal freehold could be cleared for high-value agriculture even though there are areas that have potential for high-value agriculture and Aboriginal people have aspirations to use it for that.

Mr Gerhardt Pearson, Executive Officer of the Balkanu Cape York Development Corporation, followed by saying—

We have only just started to sniff and enjoy the piece of dirt under our feet again in this short period and, essentially, this law takes that back off us.

...

This pervasive green movement that is very influential, particularly on—

the Labor Party—

provokes down south a snuffing out of the opportunity of remote communities, white and black families on remote communities, and regional Queensland. These are communities that have a long history in providing for the strength of the economy of not just this state, but of this nation. Why would any government just for votes in fact arbitrarily take away and limit and devalue the potential for our communities to grow and an economy to grow and for the nation to benefit from that, for our children to benefit from the jobs.

The hidden impact of these laws is that our Indigenous Queenslanders, particularly on the cape, will miss out on economic and employment opportunities from these unfair laws. If the member for Cook were serious about representing her constituents, she would support the LNP's amendments to this bill.

During the course of the hearings the committee heard evidence from farmers located within the Great Barrier Reef catchment areas. The proposed amendments relating to the extension of category R to include regrowth vegetation in watercourse and drainage feature areas in three additional Great Barrier Reef catchments—namely, the eastern Cape York, Fitzroy and Burnett-Mary catchments—will have a significant impact on current and future development. Perhaps the minister could explain how that will work in sugarcane-growing areas around the Burdekin and horticultural areas around Bowen, because I can assure the minister that I have had no end of calls from concerned farmers about what this will mean for them going forward.

I want to leave members with the words of one of the witnesses at the public hearings, a Mr Guy Newell from Charleville, who said—

I am opposed to the amendments laid out in this bill. I am opposed to them because there is no evidence that justifies why further amendments to vegetation management in Queensland are necessary. Labor tries to explain why these changes are needed by claiming that increases in tree clearing in Queensland have been alarming and that this needs to be reversed to protect high-value regrowth, remnant ecosystems and the Great Barrier Reef.

What they do not tell you, however, is that less than 0.23 per cent of Queensland's land area was cleared in 2015-16 and that two-thirds of this vegetation management was carried out to control regrowth and other routine farm maintenance tasks such as removing invasive weeds; constructing fences, pipelines and roads; thinning; fodder harvesting; and managing encroachment. The other thing that the government failed to explain to voters at the last election is that, while they can measure changes in tree clearing, they cannot measure changes in regrowth. The government is trying to sell us only one side of the story.

The message from our rural and regional communities has been loud and clear: leave our vegetation management laws alone and stop attacking our farmers. The scaremongering campaign run by this Labor government over tree clearing in this state is nothing short of reprehensible. Our farmers need common-sense laws that work, not overbearing government regulation and red tape that locks up our farm land and holds back regional and rural Queensland. By stopping our farmers from sustainably managing and clearing land, it is inevitable that everyday Queenslanders will be forced to pay more at the checkout for the high-quality, locally grown produce we have come to expect and enjoy.

This legislation is about Labor buying Greens votes in Brisbane and not about the broader wellbeing of Queensland and its environment and residents. Farmers take great pride in the way they manage their land, and we should trust them to do the right thing instead of demonising them and running interference at every available opportunity. I am proud to stand here today and say that I support our farmers. I am proud to say that the LNP members, those on this side of the House, will consistently stand up for our hardworking farmers who are being unfairly targeted by a government with no interest in agriculture. We will fight this at every turn and we will continue to stand shoulder to shoulder with our farmers who are the backbone of this state. I ask that this House reject this unfair bill and vote down this attack on our hardworking farmers.