




Speech By
Christopher Whiting

MEMBER FOR BANCROFT

Record of Proceedings, 26 November 2019

**VEGETATION MANAGEMENT (CLEARING FOR RELEVANT PURPOSES)
AMENDMENT BILL**

 **Mr WHITING** (Bancroft—ALP) (5.38 pm): I rise to oppose the Vegetation Management (Clearing for Relevant Purposes) Amendment Bill as the Minister for Natural Resources did earlier in the year. The first thing I want to point out in light of the foreshadowed amendment about regulatory burdens preventing the harvesting of mulga for fodder—and this is something that we have dealt with numerous times in vegetation management—is that there are no inhibitions on harvesting mulga for fodder. Landowners can notify and then do it. Property owners can do it numerous times. That is the regulatory burden: they need to notify and then they get on and do that. Therefore, I remind all members as they get up to speak on this issue over the next 1½ hours tonight that landowners can already harvest mulga for fodder but that they just need to notify.

This bill is before us because one clause of the original bill, introduced by the member for Traeger, has survived and that is clause 3. The rest of the bill was ruled out under standing order 87(1). Clause 3 of the private member's bill proposed a right of appeal to a landholder who has applied under the Vegetation Management Act to clear vegetation for relevant purposes and has been refused. This clause proposes a process where the chief executive issues a notice and an appeal and review mechanism that would allow an appeal to QCAT.

To get an approval to clear native vegetation, the chief executive of the Department of Natural Resources, Mines and Energy must be satisfied that it is for a relevant purpose as described under the act. If it is not for a relevant purpose, the application is refused. A 'relevant purpose' includes clearing for relevant infrastructure, extractive industry, special Indigenous purposes, managing weeds, controlling pests, weed encroachment and fodder harvesting. Landholders can apply online to clear and there is no fee involved. We know that there will be very few cases where the Department of Natural Resources, Mines and Energy makes a determination that the proposed clearing was not for a relevant purpose. It is very rare. The relevant purposes are clear to applicants and they do a good job in making their applications.

As members of parliament, it is fair to consider that there may be a review process in those cases where there has been a refusal, but we also need to consider that there is already a process for appeal if an application under section 22A for clearing for a relevant purpose is rejected. Let me be clear about that: there is already a process. That is because all decisions made under the Vegetation Management Act, including in relation to section 22A, can be subject to review under the Judicial Review Act.

We also need to consider that, since 2013, there have been only three refusals for applications for clearing for relevant purposes outside of clearing for high-value agriculture, which does not exist anymore—three refusals in about six years. That has been since the time we originally introduced the legislation. There may have been one or two refusals since. That is a refusal rate of 0.3 per cent of all the requests for this determination. I think it is absolutely right that the government and the department

monitor the requests and refusals under section 22A. If we need a more appropriate review and appeal mechanism, it will be progressed. The minister talked about that when we originally debated the legislation. I think that is the best outcome.

I want to address the issue of vegetation management as it is raised by opposition members, and I have no doubt it will be raised in the same vein again tonight, and that is their continued obsession with the Vegetation Management Act. I point out to the opposition that it is the Vegetation Management Act 1999. We have had this legislation since the last century. The act has been operating how it was meant to operate for the past 20 years.

Mr Millar interjected.

Mr WHITING: After 20 years, Queenslanders are well and truly familiar with this law and they are working well with it. The vast majority of landholders are getting on with the job. They have said that they do not want any more political debate about these laws. They just want political certainty and when we have been speaking with them that has been clear.

Mr Millar interjected.

Mr WHITING: We can already hear that the LNP members opposite want to re-run the debate and re-run the argument. The rest of the state has moved on and they have not.

Mr Millar interjected.

Mr DEPUTY SPEAKER (Mr Stewart): Order! Pause the clock. Member for Gregory, I see you are down on the list to speak. You will have plenty of time to refute any of these claims in your speech in the debate. I ask you to cease your interjections.

Mr WHITING: I was just about to say that the rest of the state has moved on and the LNP members have not. I was going to say that they are still stuck in the 20th century, but, with the member for Gregory, I wonder if it is the 19th century. I oppose this bill. Let us hear the wonderful contributions that we will have from the other side.