




Speech By
Hon. Mark Bailey

MEMBER FOR MILLER

Record of Proceedings, 26 November 2019

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

 **Hon. MC BAILEY** (Miller—ALP) (Minister for Transport and Main Roads) (6.16 pm): I rise to oppose the Vegetation Management (Clearing for Relevant Purposes) Amendment Bill 2018. The State Development, Natural Resources and Agricultural Industry Development Committee recommended that this bill not be passed.

The provisions of this bill were first proposed in 2017, before the Palaszczuk Labor government passed our fair and balanced tree-clearing legislation. We passed those laws to reinstate responsible land clearing in our state. We had a mandate from the people of Queensland to end broadscale clearing of remnant vegetation, and that is what we did. We keep our election promises—something the Newman government could have benefited from perhaps more than they did.

If the member for Traeger had his way, Queensland would have even weaker land-clearing legislation than existed under the Newman government and the LNP. Under Campbell Newman, the equivalent of 1,000 football fields were being cleared every day.

Opposition members interjected.

Mr BAILEY: That is a simple fact. Those opposite may wish to debate it, but good luck on that. The bill also seeks to add a new provision to section 22A which would require the chief executive to provide an information notice to applicants following the refusal of an application. There is an existing appeal right under the Judicial Review Act. The rate of refusals is less than half a per cent for matters other than high-value agriculture.

The Palaszczuk government supports transparency and accountability in decision-making. We are also delivering for rural and regional Queenslanders. Since we were elected we have invested \$29 billion in infrastructure in the regions to improve services and boost regional economies. I will never forget the number of mayors who approached me in early 2015 to express their shock and dismay at the cuts to rural and regional Queenslanders under the LNP. They thought they were on a good thing, but the reality was that they received the opposite of what they were expecting. Even mayors from quite the conservative end of the spectrum were expressing that.

This year alone our infrastructure commitment across the regions will support more than 25,000 jobs. That is 63 per cent of all jobs supported by our budget this year. Today we have heard a lot of detail about our infrastructure deal, which is very good for regional Queensland and many parts of the state. We have had record infrastructure budgets in four out of five budgets.

This side of the House acknowledges that land clearing is a key contributor to greenhouse gas pollution and climate change impacts. We must never forget that land clearing in Queensland doubled after the LNP lifted controls, from 153,000 hectares to almost 300,000 hectares between 2012 and 2014. We must act to prevent excessive land clearing in Queensland and to protect our natural environment.

The need for further legislative amendments to vegetation management laws has not been established. There is already an appeal mechanism, as I mentioned earlier. Let me make a couple of comments in relation to the existing appeal rights under the Vegetation Management Act.

All decisions made under the VMA are subject to appeal under the Judicial Review Act, including determinations made under section 22A. For some decisions made under the VMA, the landholder also has a right to request an internal review and to follow this with an external review by the Queensland Civil and Administrative Appeals Tribunal. This secondary appeal process applies where the Vegetation Management Act requires the decision-maker to provide an information notice with their decision. Information notices are required for decisions to make a property map of assessable vegetation, or PMAV as it is referred to, or to refuse to make a PMAV, or to refuse to make an area category X on the PMAV. Information notices are also required with the issue of a stop-work notice or a restoration notice and when the decision-maker refuses to approve a restoration plan.

In relation to the number of refusals on section 22A determinations, since 2013 the Department of Natural Resources, Mines and Energy has made 839 determinations under section 22A of which only 11 were refused—11. That is 1.3 per cent. These are the facts. Of these refusals, eight relate to high-value agriculture or irrigated high-value agriculture. As a result of HVA and IHVA no longer being relevant purposes, no further requests for a determination in relation to either one of those can now be made. Since 2013, only three refusals have been made relating to other relevant purposes at a rate of 0.5 refusals per year—three refusals, 0.5 refusals per year. That is a rate of 0.3 per cent, not even one per cent.

Let us acknowledge some of the facts in this case. In terms of this bill, the case has not been made out. This was well debated last year in this place. It is a matter that this government took to the election. We have a mandate. We are a majority government. We were very clear about it. We did not mislead people like the LNP in opposition did before the 2012 election by promising all kinds of things and then once elected junking it and doing something else. We value our integrity in terms of keeping our election commitments. We will always do that. That is what good government is about.

When it comes to vegetation management and tree-clearing laws, we have been very clear on this from the day of our election. We did seek to legislate in the first term. Due to a minority government situation and being one vote short, it was not passed. We went to the people and said, 'We will come back and we will get that mandate.' That was received with a majority government. We acted soon and swiftly, as we said we would do. This bill attempts to subvert that election commitment and that commitment to protecting our environment.

The current laws are reasonable. They are well implemented. They are fair about balancing the need to protect our environment while allowing people in agriculture to work. I do not support this amendment from the Katter party. It deserves to be voted down.