



Speech by

Andrew Cripps

MEMBER FOR HINCHINBROOK

Hansard Thursday, 23 April 2009

VEGETATION MANAGEMENT (REGROWTH CLEARING MORATORIUM) BILL

Mr CRIPPS (Hinchinbrook—LNP) (6.00 pm): I rise to make a contribution on the Vegetation Management (Regrowth Clearing Moratorium) Bill. The stated objective of this bill is to introduce a moratorium on the clearing of all native vegetation within 50 metres of a watercourse in what are considered to be the priority reef catchments of the Wet Tropics, the Burdekin and the Mackay-Whitsunday regions. The bill also proposes to introduce a moratorium on the clearing of what has been described as endangered regrowth vegetation in rural areas across the state on freehold and agricultural and grazing state leasehold land.

The explanatory notes accompanying the bill state that the introduction of this bill delivers on commitments made by the state Labor government to protect endangered regrowth vegetation and landscapes that need trees to perform their ecological function and to address tree clearing that is supposedly impacting on the Great Barrier Reef. What a load of nonsense. Let us call this for what it is—it is the calling-in of a political debt that the Labor Party owes to the Greens in exchange for their preferences at the last state election.

Indeed, this bill is only part of this grubby political IOU that the Bligh Labor government is obliged to pay back to the Greens. The balance of the IOU will be paid back, I have no doubt. It will be forthcoming and it will reveal itself in time as restrictions are placed on farm inputs such as agricultural fertilisers and chemicals, promised by Labor prior to the last election.

The Bligh Labor government claims that run-off is pouring into the reef lagoon and is killing this great icon. Labor cannot substantiate that claim in any definitive way because there is as much scientific research out there issued by credible research institutions that says farm run-off is not responsible for any deterioration in the health of the reef as there is other opinions suggesting that farm run-off is responsible. What Labor members do know beyond reasonable doubt is that increasingly they depend on ensuring that votes for the Greens flow to them when it gets down to preferences. That electoral reality has seen Labor increasingly sell out those whose jobs, livelihoods and private property rights get in the road of the political imperatives.

The explanatory notes insist that the retention of vegetation either side of a watercourse on riparian areas assists with improving bank stability or reducing pollutants within a water system of that watercourse. The bill proposes a vegetation buffer of 50 metres of all native vegetation either side of a watercourse. In my electorate of Hinchinbrook which straddles both the Wet Tropics catchment area and the Burdekin catchment area, there are arguably more waterways than anywhere else in Queensland. As such, I am extremely concerned about the impact that this moratorium and the eventual amendments to the act—which will undoubtedly confirm the 50-metre buffer zones—will have on the viability of individual farm enterprises and our rural industries as a whole.

One of the principal complaints that I have in relation to these 50-metre buffer zones is that they are by their very nature arbitrary, having no regard for the actual and real run-off areas either side of a

watercourse. Depending on the lay of the land, a run-off area could be 10 metres or 100 metres. Either way it is certainly never uniformly 50 metres along the length of the watercourse in question as we consider the provisions of this bill. So this bill is a disgrace in so far as it is just proposing arbitrary buffer zones that have no regard for or reference to the landscape that they are going through.

Watercourses in the three catchments that are specifically mentioned in the explanatory notes—being the Wet Tropics, the Burdekin and the Mackay-Whitsunday regions—are certainly different between themselves. In my electorate of Hinchinbrook, for example, being within the Wet Tropics region, you tend to have relatively short watercourses that have relatively small catchment areas located between the Great Dividing Range and the coast. This is true also for the electorate of Mulgrave. While the main rivers in my electorate—the Herbert River, the Murray River, the Tully River and the South Johnstone River and their tributaries—and the rivers in the electorate of Mulgrave—the North Johnstone River, the Russell River and the Mulgrave River and their tributaries—certainly sit in significant flood plains, they only do so because of the enormous volume of rain that periodically falls inside those catchment areas, rather than the land being shaped in such a way that the water naturally runs off it into adjacent waterways in significant volumes.

The landscape in the Hinchinbrook and Mulgrave electorates—the two areas that are principally targeted in the Wet Tropics region by this arbitrary 50-metre rule—because of our extensive agricultural activities is undulating and hilly. This means that we have short run-off areas into many watercourses. If the state Labor government imposes this arbitrary 50-metre buffer zone rule along the length of every watercourse on every property in my electorate of Hinchinbrook and in the electorate of Mulgrave, we will certainly find that this legislation will significantly restrict production in the Wet Tropics region.

I would urge the member for Mulgrave, if he was able to acknowledge my contribution in this place at this time, to seek out the maps that identify the watercourses that will be captured by this bill. In the electorate of Mulgrave, they are very extensive and indeed there are also substantial areas of regrowth vegetation in his electorate. I feel very sorry that the first piece of legislation that the member for Mulgrave will support in this place as part of the Bligh Labor government will negatively impact on his constituents in the Mulgrave electorate. The member for Mulgrave may have come here with ideals of supporting his local community, but he will not be able to do so if he supports this bill and he should reflect on that during this debate.

I am extremely concerned about my electorate of Hinchinbrook. I am concerned about the viability of rural industries in my electorate—the sugar industry, the banana industry, the cattle industry and the numerous horticultural crops that are grown extensively in my electorate. I am worried about the landowners, the farmers and their families and their livelihoods, and I am worried about the workers, the farmhands who work on these farms and their families.

I note the Minister for Primary Industries and Fisheries has had rural and regional Queensland added to his responsibilities. What we saw from the Minister for Primary Industries and Fisheries during the course of the last parliament was a fundamental failure to advocate for and stand up for rural industries. Take the damage mitigation permit decision, for example. Previously, the committee responsible for advising the government on that issue reported to the Minister for Primary Industries and Fisheries but when the announcement came that the Bligh Labor government was going to rollover for Dr Carol Booth, the then Minister for Primary Industries and Fisheries could not even front his responsibilities, and the former minister for climate change and sustainability took great pleasure in doing over the horticultural industry in Queensland. So it is with this legislation.

When this bill came to cabinet, I wonder if the Minister for Primary Industries and Fisheries and Rural and Regional Queensland was thinking hard about what impact it would have. I wonder how he considered this legislation would impact on primary industries in Queensland and how it would impact on rural and regional Queensland for which he now has responsibility. I wonder if the Minister for Primary Industries and Fisheries and Rural and Regional Queensland has any qualms about this legislation. If he does, he is mute and derelict in his responsibilities to represent rural industries and rural and regional Queensland.

The Minister for Primary Industries and Fisheries and Rural and Regional Queensland must be dizzy from rolling over in cabinet so many times on issues that are critical to the people he is supposed to be representing. Taken together with the Bligh Labor government's proposed regulations on important farm inputs—such as fertilisers and agricultural chemicals, another occasion on which the Minister for Primary Industries and Fisheries is set to roll over on—you have really got to wonder what landowners and rural industries have done to deserve this disgraceful treatment.

The Minister for Primary Industries and Fisheries himself has described Queensland's rural industries as one of the bright spots of the Queensland economy in the middle of the current economic downturn. I say that it is a bright spot notwithstanding the policies of the Bligh Labor government and its best efforts to drag it down. It will not be so for long under the Bligh Labor government because of its relentless efforts to persecute rural and regional Queensland for political gain.

Earlier this afternoon I saw the maps that identify the watercourses that will be captured by this bill. For my electorate and for so many other areas of Queensland they are truly frightening. There are extensive new blue areas that designate regrowth vegetation around the communities of Innisfail, Tully and Ingham and in all the farming areas in between those areas of my electorate—all on top of the 50-metre buffer zones that will be applied to adjacent watercourses.

The legislation is equally inappropriate in a region like the Burdekin catchment, which is covered by my electorate of Hinchinbrook—namely, in the area south of Ingham—but for different reasons. The land is much flatter with huge run-off areas. Unlike the Wet Tropics catchment area, many of these watercourses do not run all year round; they run only periodically, when they have significant rainfall. Yet they will have the same buffer zones that will take out production on those properties. As it is flatter country, the behaviour of water when those watercourses are flowing is different from the Wet Tropics, but all of that counts for nothing because these provisions are arbitrary. The buffer zones are 50 metres regardless of whether the real run-off catchment area is 10 metres or 100 metres. It is not science that supports this approach. This is a disgraceful bill brought forward by an irresponsible government for base political purposes.

What makes me particularly angry is the total lack of recognition given to landowners in rural industries in North Queensland in terms of the progress and improvements that they have made in land management practices over the last two decades—wetland sediment traps, green trash blanketing, widespread chemical application certification for best practices, expensive laser levelling to improve drainage, and best practice application rates for fertilisers. The list is long but there is no recognition—just a punitive big stick brought out to hand out a flogging to my constituents because the state Labor government needs to seal a grubby political deal with the Greens.

The LNP believes strongly in private property rights. We take private property rights seriously. A fundamental principle is that where the state exercises its power to deprive individual landowners of their private property rights those disadvantaged property owners should be afforded fair compensation. How extraordinary it is, then, to read brazenly in the explanatory notes accompanying this bill that landowners affected by this moratorium are not entitled to claim compensation. That is an unmitigated disgrace and something of which the Bligh government should be ashamed.

The Minister for Natural Resources has moved to implement a moratorium on the potential clearing of a million hectares of regrowth vegetation in Queensland. One million hectares of land will be taken out of production in Queensland—taken out of production systems of farm enterprises across the state. This will undoubtedly have a devastating effect on industry and jobs in the regions. Under this legislation, from 8 April 2009 the clearing of regrowth vegetation in rural areas across the state will be prohibited. In addition, the clearing of all native vegetation in riparian areas of the priority Mackay-Whitsunday, Wet Tropics and Burdekin reef catchments will be prohibited.

There was a shameless contribution from the Premier in this place this afternoon when she came in here and twisted and distorted comments made by the Leader of the Opposition, the member for Surfers Paradise, in one of the many debates on the Vegetation Management Act that have occurred over the years because the Labor Party has never been able to get this legislation right. Every time they dream up a new excuse to tighten the screws on rural industries or when they have pressure put on them by the Greens to tighten the screws on rural industries, they have brought in more amendments to fix up their own mistakes and to satisfy their penchant to belt the bush.

The Premier had to twist and distort the comments of the Leader of the Opposition because those previous debates took place on a very different basis. In 2004, ironically it was Minister Robertson himself—he had carriage of the Vegetation Management and Other Legislation Amendment Bill, which introduced the current vegetation management regime—who assured rural industries that that legislation would provide certainty for producers to manage their land in a locally relevant and sustainable manner. *Hansard* records Minister Robertson in parliament saying—

This legislation is a historical line in the sand for how we, as a community, manage our often fragile landscapes and their natural limitations to ensure we remain economically and environmentally sustainable.

That was the undertaking: a line in the sand. Certainty was promised. That was the basis on which that debate took place. Clearly that undertaking has been violated. That line in the sand has been crossed. That certainty has been undermined.

In 2004 the Leader of the Opposition, the member for Surfers Paradise, was in his first year in this place. Perhaps what the opposition leader did wrong at that time was take the minister at his word. It is clear that is unwise. It is clear you cannot trust the Labor Party in respect of many issues of public policy. Honourable members on this side of the House will recall the repeated assurances from former Premier Peter Beattie that his government had no plans for wholesale amalgamations of local councils in Queensland or, more recently, that Premier Bligh fully intended for the last parliament to go full term.

The Leader of the Opposition, the member for Surfers Paradise, argued his position on his understanding of the proposed legislation on that basis. That is why the contribution from the Premier was

so outrageous. I heard the member for Toowoomba North earlier in this debate describe the contribution of the Leader of the Opposition as trying to weasel away from his position in 2004. I must say I am surprised and disappointed in the member for Toowoomba North, who professed to have an affinity with rural and regional Queensland and whom I previously considered to be someone with more decency than to participate in a debate that distorts and twists other members' contributions in such a disgraceful way.

There is only one side of politics that is weaselling out of anything today, and that is the Australian Labor Party. The Australian Labor Party is weaselling out of its promise that the 2004 amendments to this legislation, the Vegetation Management Act, would deliver certainty to landowners; that it would be a line in the sand. The Australian Labor Party for that reason should be ashamed of itself.

The other outrageous thing the Premier did in her contribution earlier in the debate was repeat the ridiculous statements she made prior to the election when she released data from 2006-07 about the dramatic reduction in the clearing of remnant vegetation and the increase in clearing of regrowth vegetation. Of course there is going to be a dramatic decrease in the clearing of remnant vegetation. It has been banned by the state government for several years. Of course there is going to be an increase in the clearing of regrowth vegetation. The state Labor government banned the clearing of remnant vegetation. Regrowth is all that the landowners have left.

The state Labor government pushed landowners into this corner with the 2004 amendments to the Vegetation Management Act and they told them they were safe there. Now the state Labor government is castigating and punishing landowners for going about their lawful, legitimate business—until of course the passage of this bill. The state Labor government is the bushranger that pushed them into that corner in the first place. It is a complete disgrace.

The member for Callide canvassed in detail the numerous outrageous breaches of fundamental legislative standards contained in this bill. It is retrospective in a number of respects. There is no right of appeal, the onus of proof is reversed and landowners are compelled to respond to charges brought against them in this manner, and as I mentioned before there is no compensation.

There is a litany of disgraceful provisions in this bill. The explanatory notes provided by the state Labor government attempt to defend these breaches of fundamental legislative principles, but they cannot legitimately be defended by anyone with a shred of decency about them. Those members opposite who have professed a commitment to fundamental legislative principles should be ashamed of themselves.

This is bad legislation. It is an aggressive, unwarranted and unfounded attack on decent, hardworking Queenslanders. I oppose it. All members of this place who have any common decency ought to oppose it. I endorse the contribution of the shadow minister for natural resources, the member for Callide, and his proposition that rural and regional Queensland cannot take much more of the punitive base politics of the state Labor government.