




Speech by

Andrew Cripps

MEMBER FOR HINCHINBROOK

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REVENUE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr CRIPPS** (Hinchinbrook—LNP) (4.28 pm): I rise to make a contribution to the debate on the Revenue and Other Legislation Amendment Bill. This bill is an omnibus bill that includes proposed amendments to a wide variety of acts. I would like to welcome the amendments to this bill that propose to exempt from duty transfers to special disability trusts, or acquisitions of residences by such trusts that will be the principal place of residence for a person with a disability, or the transfer of such a residence. I also particularly welcome the exemption from duty the transfer of vehicles that have been modified for use by a person with a disability. This will be a modest reduction in the cost burden to people with disabilities who have the capacity to utilise motor vehicles. Until November last year I was the shadow minister for disability services—a role I enjoyed—and I know that this amendment will assist a number of Queenslanders with a disability right across the state. So I offer a compliment to the Treasurer on a practical and real measure that will support Queenslanders with a disability.

The bill proposes amendments to the Aboriginal Land Act. These amendments propose to facilitate the change of status of the Mungkan Kandju, Lakefield, Iron Range, Cape Melville and Flinders national parks on Cape York Peninsula as well as some additional areas near those parks to be classified from now on as national parks on Aboriginal land. It is proposed that these national parks on Aboriginal land will be jointly managed by the traditional owners of the area and the Department of Environment and Resource Management.

The Bligh Labor government made a commitment in the lead-up to the 2009 state election to expand the protected area estate in Queensland. This bill also contains an amendment that proposes to expand the size of two national parks on Cape York Peninsula, being the Iron Range and Lakefield national parks, and in doing so contributes toward the overall increase in the area under national park estate in Queensland. That election commitment by the Bligh Labor government proposes to increase the size of Queensland's national park estate by 50 per cent by 2020. Unfortunately, this proposal to increase the size of Queensland's national parks by 50 per cent by 2020 is not accompanied by any commensurate increase in funding and resources to ensure that their environmental and conservation values are preserved into the future.

The announcement to increase the size of Queensland's national park estate by 50 per cent by 2020 certainly made for a good press release for the Bligh Labor government, issued as it was to mark the 100th anniversary of national parks in Queensland in 2008. The trouble with this commitment is that it is a completely arbitrary commitment. Do all areas that will be transferred from one land tenure or another to national park by 2020 in pursuit of the goal to increase the size of the national park estate by 50 per cent by that time exhibit the required and normal conservation values that would ordinarily be required to facilitate the declaration of area as a national park? I am not sure, but the Bligh Labor government has set the particular target of increasing the national park estate by 50 per cent by 2020. If it is serious about achieving that target, it must acquire and secure and expand the size of the national park estate by a particular figure by a particular time. I am certainly worried that the Bligh Labor government, in pursuit of that goal, will be declaring more and more areas as national parks that may or may not necessarily exhibit the conservation values that we would normally associate with national parks.

The Bligh government and the Beattie government also have a poor record of maintaining state controlled land, in particular national parks. My electorate of Hinchinbrook has some of the most outstanding national parks in Queensland and they have very significant conservation values. But the Bligh government has really failed to provide Queensland Parks and Wildlife with adequate funding and resources to manage the existing national park estate, let alone an increase in that national park estate by 50 per cent by the year 2020.

I have been pursuing this matter for quite some time—indeed, since I was first elected. The increasing number of feral pigs and the spread of pest weeds in the Wet Tropics area of North Queensland are real problems, with the resultant environmental and economic costs reaching serious levels. The reality is that pest weeds and feral animals become more prolific, they pose a major threat to the survival of endangered plants and animals and they cost farmers and landowners millions in lost production and control costs. So if the Bligh government is going to acquire and declare more and more areas as national parks, Queenslanders should be alarmed that at the same time the government has been spending less and less on their maintenance per hectare in terms of feral animal and pest weed control, which is compromising the conservation values of our parks.

Nevertheless, the Bligh Labor government continues to declare many new national parks across the state, including in my electorate of Hinchinbrook, where it is in the process presently of declaring the Halifax Bay Wetlands National Park. I have spoken in this House on a number of occasions about the problems associated with the declaration of that park—the lack of consultation with the local community, the exclusion of recreational activities from that national park and the concerns of the local communities in that regard. The reality is that this government is all talk and no action in relation to the management of Queensland's extensive national park estate and that it is all politics and spin and no real commitment to the conservation of land with conservation values in this state.

A report by the Auditor-General tabled in this House on 5 October last year revealed that just 98 of the 576 national parks in Queensland—17 per cent of national parks in Queensland—actually had a management plan in place despite the fact that each park is required to have a plan to be developed under the Nature Conservation Act. The report by the Auditor-General was an indictment on the government. Over the past few years since the government announced its intention to increase the size of the national park estate by 50 per cent by the year 2020, a succession of Labor environment ministers have swanned around this state declaring new national parks, basking in the publicity of declaring new national parks, but that is about as far as it goes. There is no commitment to actually managing properly the new parks—or existing parks, for that matter—to protect their conservation values. The Auditor-General's report confirms that there is no planning being done.

I have campaigned regularly for resources to be allocated towards bread-and-butter environmental issues in North Queensland, particularly the maintenance of our vast national park estate and particularly—

Mr Moorhead interjected.

Mr CRIPPS: I take that interjection from the member for Waterford because he has been listening to me when I have made those representations in the parliament in the past, particularly about the increasing number of feral pigs and the spread of pest weeds in the national park estate. The Auditor-General's report was a welcome confirmation that the issues I have been raising were legitimate, are legitimate and are accurate.

About two-thirds of my electorate is covered by World Heritage national park or state forests—two-thirds of the physical area of my electorate. So I am keenly aware of the lack of resources that are provided by the government to the QPWS to maintain the conservation values of the existing protected areas. In his report the Auditor-General states clearly that, without approved park management plans, conservation activities undertaken in the protected area may be insufficient and that the relatively small number of completed park management plans reduces the department's capacity to measure its success and accurately report its findings. The Auditor-General's report, when it was tabled in the parliament in October last year, politely exposed the fact that the management of Queensland's national parks by this government is an unfortunate joke.

Under the Commonwealth Native Title Act, the settlement of native title claims may involve the transfer of land pursuant to an Indigenous land use agreement, an ILUA. Such a transfer may give rise to a dutiable transaction under the Duties Act, being either a transfer of land, an agreement to transfer land or an acquisition of a new right—that is, land—on its creation, grant or issue.

Under an administrative arrangement, ex gratia relief from duty is provided to native title claimants in relation to transactions registered under an ILUA, subject to the satisfaction of certain conditions. The explanatory notes accompanying the bill advise that the administrative arrangements for this process took effect on 3 May 2006 pending legislative amendment. The Duties Act is being amended to give the administrative arrangement prospective legislative effect. Reassessment provisions will also apply where a

concession was not allowed but the relevant conditions were subsequently satisfied and where a concession was allowed but the eligibility requirements subsequently were not satisfied.

Another proposed amendment in this bill pertaining to the Duties Act is that relating to the provision that provides transfer duty concessions for certain transactions involving registered managed investment schemes. A registered managed investment scheme is defined to mean a managed investment scheme registered under the Commonwealth Corporations Act. Subject to conditions, dealings in units in a trust which is a registered managed investment scheme do not attract transfer duty. The Duties Act is being amended to clarify that a registered managed investment scheme for the purposes of the Duties Act means a managed investment scheme within the meaning of the Commonwealth Corporations Act that is registered under that act.

The explanatory notes accompanying the bill insist that this amendment will ensure that where a scheme is registered under the Commonwealth Corporations Act, but for whatever reason is no longer a managed investment scheme within the meaning of that act, it will no longer constitute a registered managed investment scheme for the purposes of the Duties Act. My understanding of that explanation gives me some satisfaction. I must express some satisfaction that this amendment proposes to reduce a degree of tax relief for a scheme that I consider to be a form of tax avoidance that had a disastrous impact on my electorate of Hinchinbrook. I believe that unfair tax advantages are currently extended to managed investment schemes for plantation forestry. These tax advantages have resulted in a distortion in the demand for rural land and have driven illegitimate changes in land use, claiming large areas of prime agricultural land in North Queensland. In recent years, managed investment schemes have had a significant impact on the sugar industry, in particular in my electorate of Hinchinbrook but also right across the Innisfail district, the Tully district and the Herbert River district. The schemes were undermining the viability of the sugar industry as a whole, jeopardising jobs and, as a result, local communities in North Queensland, in particular in my electorate.

When the economy was booming, managed investment schemes were cashed up and were aggressively pursuing land and securing properties at inflated prices which distorted the market for land and undermined the viability of the sugar industry. The sugar industry in a particular area requires a critical mass of cane land to maintain the length of its crushing season which secures jobs in all sectors of the industry—in the growing sector, in the harvesting sector and in the milling sector. Losing agricultural land to plantation forestry means less cane through the mill during the crushing season. If the land under cane in a particular area supplying a mill falls to unviable levels, it is not worth that particular milling company firing the mill up at the start of the season. It does not just mean fewer farmers on the land, but it means fewer jobs in the harvesting sector—the men and women driving the harvesters and the haul-out operators. It also means fewer people in the sugar mills themselves and that is bad news for the local communities that I represent in my electorate.

These schemes were undermining the viability of sugar mills in North Queensland when the economy was booming. People with tax problems were pouring money into managed investment schemes for the tax breaks and with the downturn a number of these companies have collapsed. In their wake they have left massive environmental concerns for adjacent property owners who have not only had to contend with overgrown properties full of pest weeds and feral animals but also suffered the ignominy of reduced property values and experienced the reduced effectiveness of mill infrastructure where cane railway lines go past properties that are no longer used for producing sugar cane to service properties beyond that. That increased the inefficiency of the industry and has caused all sorts of dramas.

Now, amazingly, some of those properties are being disposed of by liquidators and some of them are being cleared and going back to cane. We have had a major and massive disruption for a number of years in the continuity of the operations of the sugar industry as a result of these managed investment schemes. It does give me some satisfaction that we are moving to ensure that these types of schemes pay duties where it is appropriate. In relation to the provisions of the bill that I have not addressed, I endorse the comments of the shadow Treasurer, the Deputy Leader of the Opposition, in that regard.