Division: Question put—That the bill be now read a second time.

AYES, 5:

KAP, 3—Dametto, Katter, Knuth.

PHON, 1—Andrew.

Ind, 1—Costigan.

NOES, 83:

ALP, 45—Bailey, Brown, Butcher, Crawford, D'Ath, de Brenni, Dick, Enoch, Farmer, Fentiman, Furner, Gilbert, Grace, Harper, Healy, Hinchliffe, Howard, Jones, Kelly, King, Lauga, Linard, Lui, Lynham, Madden, McMahon, McMillan, Mellish, Miles, Miller, Mullen, B. O'Rourke, C. O'Rourke, Palaszczuk, Pease, Pegg, Pugh, Richards, Russo, Ryan, Saunders, Scanlon, Stewart, Trad, Whiting.

LNP, 36—Bates, Batt, Bennett, Bleijie, Boothman, Boyce, Crandon, Crisafulli, Frecklington, Hart, Janetzki, Krause, Langbroek, Last, Lister, Mander, McArdle, McDonald, Mickelberg, Millar, Minnikin, Molhoek, Nicholls, O'Connor, Perrett, Powell, Purdie, Robinson, Rowan, Simpson, Sorensen, Stevens, Stuckey, Watts, Weir, Wilson.

Grn, 1—Berkman.

Ind, 1—Bolton.

Pairs: Boyd, Leahy; Power, Hunt.

Resolved in the negative.

VEGETATION MANAGEMENT (CLEARING FOR RELEVANT PURPOSES) AMENDMENT BILL

Resumed from 21 March 2018 (see p. 592).

Second Reading

Mr KATTER (Traeger—KAP) (6.43 pm): I move—

That the bill be now read a second time.

We introduced the amendments in this bill before the government made the most recent changes to the Vegetation Management Act, but they are no less relevant and still very much have a purpose in the industry. The vegetation management laws affect the broadacre beef, sheep and grains industry in Queensland, which in 2016-17 generated about $8.2 billion in gross farm value production. The amendments in this bill are not just emotive arguments, they are not arguments about keeping industries alive; they are very much about preserving and, in some cases, allowing an industry to prosper, which is very much needed in this economic climate in Queensland.

Through the introduction of this bill we set out to, as always, not overreach, but try to find the middle ground and achieve a meaningful outcome by making what we regard as a massive compromise so that the government can deal with this issue relating to vegetation management. There is always an implied reference by the government that people in rural areas cannot be trusted and that it must legislate for the lowest common denominator and make things terribly restrictive and hard for everyone because someone might do the wrong thing. There will always be a small number of people who will do the wrong thing but, through vegetation management legislation, the government has hamstrung much economic activity in western areas that, although are far from this place, far from Alice Street in Brisbane, are still very relevant to our economy. I regard the two amendments contained in this bill as moderate. They should be regarded as a compromise in dealing with the very strong impact of the amendments to the vegetation management legislation that were brought into this parliament.

I have been informed—and I would love to be corrected on this—that so far there has been not one application for thinning under that legislation. Such applications were supposed to be easy, but not one application has been made. It is pretty easy to read into that that the application process is either prohibitive or there are machinations in the department that work against people who are trying to make these applications so much so that they throw their hands in the air. That is real evidence that the government has put a handbrake on prosperity in rural areas.

Clause 3 of the Vegetation Management (Clearing for Relevant Purposes) Amendment Bill 2017 amends section 22A to create an obligation on the chief executive to issue an information notice if an application for clearing as assessed under section 22A of the act has been rejected. People are spending tens of thousands and, in some cases, hundreds of thousands of dollars on applications. They are spending all of this money and taking all this time and effort in the belief that the government will

act in good faith. I am dead certain that there is a culture in the department that started with the change of government of putting the handbrake on all of these applications. There is no obligation on anyone to report back on the validity, or the progress of these applications. If you have someone spending $100,000 in good faith thinking, 'I'm doing everything right. I'm getting all of these approvals, soil tests, business cases, economic environmental impact studies and all of these things. Over the years the government has made regulations that makes it really hard to do any clearing, but I've done all of that in good faith. I've handed it in, but you won't even tell me if you're going to reject it or, if you are, why.' There is no obligation on the government to give feedback. I do not think that passes the fairness test.

There is a fair bit of history behind the second amendment that is proposed in this bill. This amendment removes grazing activities from the definition of high-value agricultural clearing to ensure that it is considered a relevant purpose in the chief executive's consideration of an application to clear under the act. Since the inception of the Vegetation Management Act 1999, I note that there have been 41 amendments. People are pleading for some certainty. As a result of those amendments to the act, the relevant purposes for clearing under that act ended up being thinning encroachment weeds and installing and maintaining necessary infrastructure. Grazing activities, with a focus on improved pastures and cropping, do not fit within that definition.

People who have approvals to clear will spend $100,000 on trying to get to the point where they can make their land more productive. In many cases I am talking about land that has been cleared already and people are applying for development approvals, but they cannot carry out certain activities on that land. The government could talk to natural resource management groups—it could talk to anyone it wants. There is no material difference between including these activities for improved pastures or cropping to any other fodder crop that is already listed in the act.

These amendments are really just getting rid of these silly anomalies that are in the act. By doing that, the industry has a vast array of activities it can conduct. The good news for everyone in this House is that that is better land management practice. It is always forgotten in debates on vegetation management that these applications to clear are not about a licence for broadscale clearing. Often, these applications allow people to manage their farm. If they can put in improved pasture, they are not holding on to the cattle in other paddocks when it is dry because they have improved pastures.

It gives them options to manage their property. They can rest a paddock and get higher productivity on another paddock when times are tough. The majority of people who are good land managers have an option to carry out better land management practices. These give people the keys to perform better land management practices. The upshot is that there is more economic benefit to the state because there is higher productivity, more soil control and less erosion and it allows for a more diverse operation. Everyone is a winner out of fixing this anomaly that includes those activities.

Most of these practices relate to applications made under section 22A. Going back to the point about notices, there is no legislative or regulatory trigger requiring the Department of Natural Resources and Mines to provide a formal response to the applicant. One can imagine how enormously frustrating this is, particularly in this political environment when there is so much pressure from environmental and green groups to lock this land up. Surely at the very least they have the right to feedback. That is an easy one that we should be able to tick off. I cannot believe why anyone in this House would argue with that. Whether you believe in tree clearing or not, you should have the right to receive feedback.

Let us fix up an anomaly in the legislation to improve soil condition and improve erosion. If we care about the reef, the way to improve erosion is to get more ground cover so people like Blair Knuth at Burdekin Downs, where there is false sandalwood country where nothing much grows, can put in improved pasture. This will provide grass cover and mean less run-off which I believe is what is trying to be achieved. I sometimes find it hard to understand what the government is trying to achieve in this space, but surely a worthwhile objective would be to try to improve ground cover. These are sensible amendments, they are very moderate and I implore the House to support them.

Hon. AJ LYNHAM (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (6.53 pm): I rise to speak to the Vegetation Management (Clearing for Relevant Purposes) Amendment Bill. The State Development, Natural Resources and Agricultural Industry Development Committee in its report on this bill made two recommendations, the first being that the bill not be supported. I concur. This private member's bill should not be supported and I will outline the reasons for that, despite the very eloquent reasoning by the member for Traeger. I always respect the way the member for Traeger and the member for Hill eloquently put their case forward, even though the reasoning may be in error, and the way they support their local communities.

The committee's second recommendation was that the Minister for Natural Resources, Mines and Energy examine the merits of providing an information notice to applicants under section 22A of the Vegetation Management Act 1999. I thank the committee for the recommendation and now table the government's response to that recommendation.

The response concisely states that the government will monitor the rate of requests and refusals under section 22A of the Vegetation Management Act 1999 and will progress a proposal for a more appropriate review and appeal mechanism if a need emerges for an appeal process to be implemented. The important part is 'if a need emerges'.

The provisions contained in this bill were first proposed by the honourable Mr Robbie Katter in a bill introduced in 2017. At that time, the Newman government's unbalanced and destructive vegetation clearing laws were in place. Despite the very high rates of loss of remnant vegetation, landholders could apply for a permit for broadscale clearing to establish high-value agriculture or irrigated high-value agriculture. That 2017 bill sought to widen these unbalanced laws even further. It sought to allow broadscale clearing even for the lower economic value purposes of grazing and growing fodder to be used on the property. Even the Newman government knew that would be irresponsible and would lead to excessive loss of our valuable remnant vegetation.

The 2017 bill also sought to provide landholders with an additional right of review and appeal avenues if the Department of Natural Resources and Mines refused a landholder permission to make an application for a clearing permit. Such refusals were rare, but if and when they occurred it was because the landholder could not establish that their land was suitable for the proposed agricultural activity or that they had access to water to undertake the proposed irrigation. Refusals very rarely occurred for requests for a determination that the clearing was for another relevant purpose, because the other purposes are easy to determine on clearly evident facts. It is clear whether the applicant's project is a coordinated project, for example, or whether they have the approvals they require to do an extractive industry. The only situation in which an appeal would arise was in relation to proposals for clearing for high-value agriculture or irrigated high-value agriculture. The bill we are considering today is exactly the same as that 2017 bill.

The world has moved on and we now have fair and balanced vegetation management laws in place. This government was elected with a firm mandate to end broadscale clearing of remnant vegetation and to reinstate a responsible vegetation management framework. We have done that. In May 2018, the Vegetation Management Act 1999 was amended to remove high-value agriculture and irrigated high-value agriculture as relevant purposes. Clause 4 of this private member's bill has been ruled out of order as it would seek to reinstate these relevant purposes. Clause 3 needs to be considered in light of established review and appeal mechanisms. Clause 3 seeks to provide a right to appeal to the Queensland Civil and Administrative Tribunal where the Department of Natural Resources, Mines and Energy determines that proposed clearing is not for a relevant purpose and therefore an application for a permit cannot be made.

There is no doubt that this government supports transparency and accountability in decision-making. However, this review right already exists under the Judicial Review Act. There is a very low rate of refusals of requests for determinations. If we leave aside decisions about high-value agriculture, only 0.3 per cent of requests have been refused since 2013 at the time of the Newman government's laws. The existing appeal right provides an adequate safeguard against the risk of an error of process. It is for these reasons that the private member's bill should not be supported and I recommend that honourable members reject the bill.

Mr KNUTH (Hill—KAP) (6.58 pm): I rise to speak to the Vegetation Management (Clearing for Relevant Purposes) Amendment Bill. This bill has been developed to address gaps within the existing legislative framework that constrain the ability of primary producers to clear land for legitimate purposes and enables access to a reasonable appeals process. Currently, grazing is not considered a relevant purpose for high-value agriculture clearing. However, it is considered a relevant purpose for irrigated high-value agriculture clearing.

This limits the ability of a grazier to establish a source of feed to improve the productivity of their operation. In order to develop a more profitable and competitive domestic international agriculture industry in Queensland, graziers must have a range of options for cultivating and sourcing feed. Although the bill broadens the scope of activities that are an acceptable reason to undertake clearing, the existing legislative regulatory framework provides inadequate mitigation of detrimental environment impacts.

Furthermore, the farm management practices of producers ensure a high standard of environmental management across the industry. Currently, there is no right of appeal or review for persons who have made an application under section 22A of the act where the application has been rejected.

Debate, on motion of Mr Knuth, adjourned.

ADJOURNMENT

Toowoomba North Small Business Advisory Committee

Mr WATTS (Toowoomba North—LNP) (7.00 pm): I rise today to speak briefly about the Toowoomba North Small Business Advisory Committee. I thank the members who are on that committee for their input: Adnun Khan and his brother Albab Khan, who will shortly reopen a chocolateria in Grand Central; Lynette and John Yeo from Northpoint Meats; Craig Stibbarb from Craig's Highfields Hardware; Danielle Temple from New Brew Cafe; Melissa Taylor from Taylor's Removal and Storage; Nathan Dwight from Donut King—I have to confess I have been to his store often; Bruce Louden from Big Tyre; Robert Schatz from Totally Baked Grand Central, who also is someone I regularly visit; Marie Streidl from Toowoomba Flower Markets—my wife will be pleased to know that I often call in there; Tressa Lindenberg from Sovereign Property Partners; Jim O'Dea, who is part of the Highfields and District Business Connections; Jo Sheppard from the chamber of commerce; and Joy Mingay, the president of the chamber of commerce. I thank them all for giving up their time.

It was a really important meeting to get a grip on and understanding of what is affecting small business owners, our largest employer, and to get information and some ideas. First and foremost, they brought forward the cost of electricity as crippling their businesses. Also, regulatory interference and the burden of government administration prevents small business from capitalising on opportunities to expand, employ more staff and improve the profitability of their business. After 25 years out of 30 of Labor in Queensland, as a small business owner I can say that regulatory interference is big.

They were also concerned about payroll tax, workers compensation, stamp duty, the cost of auditing and how the onus always fell on them to do all of this reporting for government to collect various forms of taxation. I agree with them, but it was really interesting to listen to some of their ideas about how to deal with that. I also table an article that just shows a little bit of the resilience of small business.

Tabled paper: Article from the *Chronicle*, dated 2 April 2019, titled 'Why my shelves are bare' [515].

Craig Stibbarb's hardware business in Highfields, which I have used regularly, has suffered greatly in recent times, but he is still fighting on and we hope that he will be successful. Another area that they raised with us was the difficulty of access to business finance and how it is becoming increasingly difficult in a tight market. There were many other issues raised. I hope to speak to them again soon.

(Time expired)

Nudgee Electorate, Rail Services

Ms LINARD (Nudgee—ALP) (7.03 pm): Today's announcement by the Minister for Transport and Main Roads, Mark Bailey, of additional peak time rail services is a welcome one for commuters across my electorate. From Monday, 13 May Queensland Rail will add 32 extra weekly services at peak times and 14,000 seats to South East Queensland's network. Locally, key services added include a 7.39 am Shorncliffe Central service operating Monday to Thursday—I know it directly impacts and benefits the member for Sandgate's electorate also—adding to the existing Friday service, in addition to a 7.10 am Kippa-Ring Central service operating Monday to Friday. A new 6.58 am Central Shorncliffe service will also operate Monday to Thursday, adding to the existing Friday service. These additional services come after 46,000 weekly seats were added to the region's rail network last December, with the upgrade of 193 three-carriage trains to six-carriage trains, which was also a significant and welcome improvement for commuters across my local community—particularly so at Nundah station, where capacity issues were being felt by commuters.

I appreciate that delivering a new or altered train timetable is a complex task involving managing train crew resources and rostering, planning, the stabling and maintenance of trains, and scheduling daily train movements. My community has been calling out for additional peak time services, particularly at the Nundah, Toombul, Banyo and Nudgee stations, making today's announcement exactly what my community has been calling for and I have been fighting for. This is just the start.