



# **Annual Report**

## **2016-17**

**Report No. 44, 55<sup>th</sup> Parliament**  
**Agriculture and Environment Committee**  
**October 2017**

## **Agriculture and Environment Committee**

**Chair** Mr Joe Kelly MP, Member for Greenslopes

**Deputy Chair** Mr Pat Weir MP, Member for Condamine

**Members** Mrs Julieanne Gilbert MP, Member for Mackay  
Mr Robbie Katter MP, Member for Mount Isa  
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## Chair's foreword

This report covers the activities of the Agriculture and Environment Committee of the 55th Parliament for the 2016-17 financial year.

On behalf of the committee, I would like to thank departmental and parliamentary staff, as well as submitters and others who contributed to our work over the past year.

A handwritten signature in black ink, appearing to read "Joe Kelly".

Joe Kelly MP  
Chair

## 1 Agriculture and Environment Committee

The Agriculture and Environment Committee (committee) was established on 27 March 2015 as a portfolio committee of the Queensland Legislative Assembly.

Section 92 of the *Parliament of Queensland Act 2001* outlines the main responsibilities of a portfolio committee. In relation to its portfolio area, a committee may:

- consider Appropriation Bills
- consider other legislation and proposed legislation
- perform its role in relation to public accounts and public works, and
- initiate an inquiry into any other matter it considers appropriate.

The committee's primary areas of responsibility are:

- Agriculture, Fisheries and Rural Economic Development
- Environment and Heritage Protection, and
- National Parks and the Great Barrier Reef.

## 2 Annual report

In accordance with s 108 of the *Parliament of Queensland Act 2001*, the committee is required to table an annual report within four months and 14 days after the end of each financial year. The report must include:

- a list of meetings of the committee and the names of members attending or absent from each meeting
- a summary of issues considered by the committee, including a description of the more significant issues arising from the considerations
- a statement of the committee's revenue and spending for the year, and
- a brief description of responses by Ministers to recommendations of the committee.

This report provides a summary of the activities of the committee from 1 July 2016 to 30 June 2017.

## 3 Inquiries and reports

During the 2016-17 financial year, the committee considered and reported on the Appropriation Bill 2016 for its portfolio areas. It considered seven other Bills, reporting on three of these Bills in the financial year. The committee was involved in four policy inquiries and three inquiries into Auditor-General's reports. In the 2016-17 financial year, it reported on three of these policy inquiries and one Auditor-General report. The committee also tabled nine reports on subordinate legislation within its portfolio.

In total, the committee tabled 17 reports during the 2016-17 financial year, not including its Annual Report for the 2015-16 financial year. The committee's reports and inquiries are summarised below. Copies of the committee's publications are available from the committee's webpage: [www.parliament.qld.gov.au/aec](http://www.parliament.qld.gov.au/aec).

### 3.1 Appropriation Bill 2016

The committee examined the budget estimates for the 2016-17 financial year contained in the Appropriation Bill 2016 for the committee's areas of responsibility.

The committee held a public hearing on 22 July 2016 in which it questioned the Minister for Agriculture and Fisheries, and the Minister for Environment and Heritage Protection and Minister for National

Parks and the Great Barrier Reef regarding the proposed expenditures for the committee's portfolio areas.

The committee reported on 12 August 2016 on its consideration of the 2016-17 budget estimates ([Report No. 20](#)). The report contained one recommendation – that the proposed expenditure, as detailed in the Appropriation Bill 2016 for the committee's areas of responsibility, be agreed to by the Legislative Assembly without amendment. The Bill was passed by the Legislative Assembly on 16 August 2016.

### **3.2 Auditor-General Reports**

#### **3.2.1 Auditor-General Reports reported on during 2016-17**

The committee considered and reported on the Auditor-General's Report, *Managing water quality in Great Barrier Reef catchments* (Auditor General's Report 20: 2014-15). This Auditor-General Report was referred to the committee on 16 July 2015.

The committee tabled its report on 12 August 2016 ([Report No. 22](#)). The committee was satisfied that the Auditor-General's recommendations had been satisfactorily implemented, or that substantial progress had been made toward implementation. The committee made one recommendation – that the Legislative Assembly note the contents of its report.

#### **3.2.2 Auditor-General Reports considered but not reported on during 2016-17**

Two Auditor-General's Reports referred to the committee during the 2015-16 and 2016-17 reporting period were still under consideration by the committee as at 30 June 2017.

##### **3.2.2.1 Biosecurity Queensland's management of agricultural pests and diseases (Auditor-General Report 12: 2016-17)**

On 9 May 2017, the Auditor-General's Report, *Biosecurity Queensland's management of agricultural pests and diseases* (Auditor-General Report 12: 2016-17) was referred to the committee for consideration. The Auditor-General's Report examines whether the Department of Agriculture and Fisheries, through Biosecurity Queensland, has been achieving its agricultural pest and disease management outcomes. To assess this, the Queensland Audit Office focused its inquiry on how efficiently and effectively Biosecurity Queensland detects, responds to, and manages significant agricultural pests and diseases.

The committee received a private briefing from the Department of Agriculture and Fisheries on 16 June 2017. It also wrote to this department seeking further written advice on 27 June 2017.

##### **3.2.2.2 Flood resilience of river catchments (Auditor-General Report 16: 2015-16)**

The Auditor-General's Report, *Flood resilience of river catchments* (Auditor-General Report 16: 2015-16) was referred to the committee on 19 April 2016.

The committee received public briefings from the Queensland Audit Office, Queensland Reconstruction Authority, Department of Infrastructure, Local Government and Planning and Department of Natural Resources and Mines on 12 October 2016, following private briefings in May 2016.

The committee called for submissions to be made by 18 October 2016. The committee accepted 10 submissions.

The committee held public hearings on 30 November 2016 and 10 May 2017.

### **3.3 Bills and subordinate legislation**

The committee examined a number of Bills and pieces of subordinate legislation in accordance with its responsibility under s 93(1) of the *Parliament of Queensland Act 2001*. Specifically, the committee considered:

- the policy to be given effect by the legislation
- the application of fundamental legislative principles to the legislation, and
- for subordinate legislation - its lawfulness.

#### **3.3.1 Examination of Bills**

Apart from the Appropriation Bill 2016, the committee examined seven other Bills referred by the Legislative Assembly. The committee reported on three of these Bills in the 2016-17 financial year.

##### **3.3.1.1 Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016 (Report No. 25)**

The Environmental Protection (Underground Water Management) and Other Legislation Amendment Bill 2016 was referred to the committee on 13 September 2016 with a reporting date of 25 October 2016.

The committee accepted 141 written submissions, as well as three ‘form’ submissions from 1,896 individuals. The committee received departmental briefings on the Bill on 30 September 2016 and 12 October 2016. A public hearing was also held on 12 October 2016.

The committee’s report was tabled on 25 October 2016 ([Report No. 25](#)). The committee made two recommendations, one of which was that the Bill should be passed. The Queensland Government accepted the committee’s recommendations. On 9 November 2016, the House passed the Bill with amendments.

##### **3.3.1.2 Land and Other Legislation Amendment Bill 2016 (Report No. 32)**

The Land and Other Legislation Amendment Bill 2016 was referred to the committee for consideration on 29 November 2016, with a reporting date of 7 March 2017.

The committee received four submissions; received briefings from the Department of Natural Resources and Mines on 12 December 2016 and 15 February 2017; and held a public hearing on 15 February 2017.

The committee tabled its report on the Bill on 7 March 2017 ([Report No. 32](#)). The report made four recommendations. The Queensland Government accepted all of the recommendations and the Bill was passed, with amendments, on 23 March 2017.

##### **3.3.1.3 Sustainable Queensland Dairy Production (Fair Milk Price Logos) Bill 2016 (Report No. 33)**

The Sustainable Queensland Dairy Production (Fair Milk Price Logos) Bill 2016 was introduced as a private member’s Bill by the Member for Dalrymple, Mr Shane Knuth MP, on 13 October 2016. The Bill was subsequently referred to the committee with a reporting date of 13 April 2017.

The committee received eight submissions; was briefed by the Department of Agriculture and Fisheries on 30 November 2016; and held a public hearing on 1 March 2017.

The committee’s report ([Report No. 33](#)) was tabled on 13 April 2017. The committee made three recommendations, including that the Bill should not be passed. The Queensland Government did not accept the committee’s third recommendation, namely that the Minister for Agriculture and Fisheries consult with other jurisdictions regarding the institution of similar dairy industry schemes. The second reading of the Bill failed on 9 August 2017.

### **3.3.1.4 Sugar Industry (Application of Transitional Provision) Amendment Bill 2017**

On 2 March 2017, the Sugar Industry (Application of Transitional Provision) Amendment Bill 2017 was introduced as a private member's Bill by the Member for Buderim, Mr Steve Dickson MP, and referred to the committee for detailed consideration.

The committee accepted two submissions.

On 13 June 2017, the Bill was withdrawn and discharged from consideration by the committee, by the Legislative Assembly on a motion moved by the Member for Buderim.

### **3.3.1.5 Safer Waterways Bill 2017**

On 25 May 2017, the Safer Waterways Bill 2017 was introduced as a private member's Bill by the Member for Dalrymple, Mr Shane Knuth MP. The Bill was referred to the committee for consideration and report by 27 November 2017.

On 16 June 2017, the committee invited stakeholders and subscribers to lodge written submissions.

### **3.3.1.6 Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017**

The Nature Conservation (Special Wildlife Reserves) and Other Legislation Amendment Bill 2017 was introduced into the Queensland Parliament on 14 June 2017 and referred to the committee for consideration. In accordance with the Standing Orders, the Committee of the Legislative Assembly required the committee to report to the Legislative Assembly by 11 August 2017.

On 16 June 2017, the committee invited subscribers, and on 21 and 22 June 2017 the committee invited stakeholders, to lodge written submissions.

On 29 June 2017, the committee wrote to the Department of Environment and Heritage Protection seeking a written briefing on the Bill and a response to specific questions posed by the committee.

### **3.3.1.7 Waste Reduction and Recycling Amendment Bill 2017**

The Waste Reduction and Recycling Amendment Bill 2017 was introduced into the House and referred to the committee on 14 June 2017. The committee was required to report to the Legislative Assembly by 11 August 2017.

On 16 June 2017, the committee invited stakeholders and subscribers to lodge written submissions on the Bill. On 23 June 2017, the committee wrote to the Department of Environment and Heritage Protection seeking advice on the Bill.

## **3.3.2 Consideration of portfolio subordinate legislation**

The committee considered and reported on 44 items of portfolio subordinate legislation during the 2016-17 year. From this work, the committee tabled nine reports during the year.

### **3.3.2.1 Subordinate legislation tabled between 17 February and 24 May 2016 (Report No. 21)**

The committee tabled [Report No. 21](#) on 12 August 2016. This report advised of the committee's examination of four pieces of subordinate legislation tabled between 17 February 2016 and 24 May 2016 (SL 24, 32, 46 and 54). Two pieces of subordinate legislation considered by the committee (SL 24 and 32) did not identify any issues regarding consistency with fundamental legislative principles, nor with the lawfulness of the subordinate legislation.

In relation to SL 46, the committee noted Schedule 1 and Schedule 2 imposed new restrictions and obligations on businesses by way of declarations of Pest Quarantine Areas. The committee considered the restrictions to be justified.

In relation to SL 54, the committee considered the entry and inspection powers given to inspectors to enter land for biosecurity surveillance activities were justified.

### **3.3.2.2 Subordinate legislation tabled between 25 May and 14 June 2016 (Report No. 23)**

[Report No. 23](#) presented the committee's consideration of three pieces of subordinate legislation (SL 65, 66 and 69). The committee did not identify any issues regarding consistency with fundamental legislative principles, nor with the lawfulness of the subordinate legislation.

In relation to SL 69, the committee's report noted that on 17 August 2016, the Legislative Assembly agreed to a motion to disallow Schedule 3 of the Exhibited Animals Regulation 2016.

### **3.3.2.3 Subordinate legislation tabled between 15 June and 16 August 2016 (Report No. 26)**

The committee considered and reported ([Report No. 26](#)) on 12 pieces of subordinate legislation (SL 74, 75, 78, 79, 94, 99, 104, 116, 118, 119, 121, 125, 126, 132 and 133). The committee noted some potential breaches of fundamental legislative principles but considered that these could be justified.

In relation to SL 75, the committee noted allowing an external document to be used to create elements of an offence provision. For SL 199, the committee noted the regulation restricted the use of particular fishing apparatus and attachments by fishing industry businesses. In relation to SL 121, the committee noted the regulation (rather than an Act) prescribed significant offences with substantial penalties. In all instances, the committee was satisfied the potential breach of fundamental legislative principles was justified.

### **3.3.2.4 Subordinate legislation tabled between 17 August and 13 September 2016 (Report No. 28)**

The committee tabled its report ([Report No. 28](#)) on two pieces of subordinate legislation considered by the committee (SL 160 and 165). The committee did not identify any issues regarding consistency with fundamental legislative principles, nor with the lawfulness of the subordinate legislation.

### **3.3.2.5 Subordinate legislation tabled between 14 September and 11 October 2016 (Report No. 30)**

[Report No. 30](#) advises of five pieces of subordinate legislation considered by the committee (SL 167, 172, 178, 182 and 183). The committee noted a potential breach of fundamental legislative principles in relation to SL 182 but considered that the potential breach could be justified given the justification provided in the explanatory notes.

### **3.3.2.6 Subordinate legislation tabled between 12 October and 29 November 2016 (Report No. 31)**

Six pieces of subordinate legislation were considered and reported on by the committee in [Report No. 31](#) (SL 185, 188, 191, 193, 194 and 202). The committee did not identify any issues regarding consistency with fundamental legislative principles, nor with the lawfulness of the subordinate legislation.

### **3.3.2.7 Subordinate legislation tabled between 30 November 2016 and 14 February 2017 (Report No. 34)**

In [Report No. 34](#), the committee advised of its consideration of six pieces of subordinate legislation (SL 235, 238, 242, 243 and 246 of 2016 and SL 003 of 2017). The committee identified a potential issue regarding consistency with fundamental legislative principles in regard to SL 238. However, the committee was satisfied, given the justification provided and intention of the subordinate legislation, that sufficient regard had been given to the rights and liberties of individuals.

In relation to SL 238, the committee recommended that the Department of Agriculture and Fisheries undertake a survey of scallop numbers in conjunction with the industry, both inside and outside the relevant protected zone. The Queensland Government supported this recommendation.

### **3.3.2.8 Subordinate legislation tabled between 15 and 28 February 2017 (Report No. 36)**

Four pieces of subordinate legislation (SL 10, 11, 12 and 21) were considered by the committee and reported on in [Report No. 36](#). The committee did not identify any issues regarding consistency with fundamental legislative principles, nor with the lawfulness of the subordinate legislation.

### **3.3.2.9 Subordinate legislation tabled between 1 and 21 March 2017 (Report No. 37)**

[Report No. 37](#) presents the committee's consideration of two pieces of subordinate legislation (SL 31 and 36). The committee did not identify any issues regarding consistency with fundamental legislative principles, nor with the lawfulness of the subordinate legislation.

## **3.4 Policy inquiries**

### **3.4.1 Hendra virus EquiVac® vaccine and its use by veterinary surgeons in Queensland (Report No. 24)**

On 25 February 2016, the Legislative Assembly referred an inquiry to the committee in relation to the Hendra virus (HeV) EquiVac® vaccine and its use by veterinary surgeons in Queensland.

In the 2016-17 reporting period, the committee held public hearings in Cairns, Jimboomba, Brisbane, Redlands, Nambour and Rockhampton; as well as a private hearing in Brisbane. The committee also invited horse owners, veterinarians and others to complete a short survey to assist in its understanding of how adverse reactions to the HeV EquiVac® vaccine have been reported and handled.

On 21 October 2016, the committee tabled its report on its findings, making 11 recommendations ([Report No. 24](#)). The Queensland Government supported eight of the committee's recommendations and did not support the other three recommendations.

The committee tabled a corrigendum on 31 October 2016, to make a correction to the Statement of Reservations appearing at page 26 of the committee's report.

### **3.4.2 Review of the Drought Relief Assistance Scheme (Report No. 29)**

In July 2015, the committee resolved to review and report on Queensland drought assistance measures administered by departments within the committee's areas of responsibility (Department of Agriculture and Fisheries and Department of National Parks, Recreation, Sport and Racing).

On 3 January 2017, the committee tabled a report on its review, making five recommendations ([Report No. 29](#)). The Queensland Government supported all of the committee's recommendations.

### **3.4.3 Barrier fences in Queensland (Report No. 35)**

On 28 October 2016, the committee resolved to hold an inquiry into the management of barrier fences in Queensland, in accordance with its public works power under s 94 of the *Parliament of Queensland Act 2001*.

On 16 June 2017, the committee tabled its report, making six recommendations ([Report No. 35](#)). The Queensland Government supported three of the recommendations and provide in-principle support for the other three recommendations.

### **3.4.4 Inquiry into the impacts of invasive plants (weeds) and their control in Queensland**

In November 2016, the committee resolved to investigate and report to Parliament on the impacts of invasive plants (weeds) and their control in Queensland.

During the 2016-17 reporting period, the committee published an information paper to assist stakeholders. The committee accepted 60 submissions. The committee conducted various inspections; held informal roundtable meetings; held public hearings in Gladstone, Gatton, Brisbane, Hughenden and Barcaldine; and received a public briefing from Biosecurity Queensland.

As at 30 June 2017, the committee were still finalising its report from this inquiry.

## 4 Committee expenditure

The committee had no revenue during 2016-17. The committee is funded from the appropriation made to the Legislative Assembly.

The expenditure of the committee from 1 July 2016 to 30 June 2017 is shown in the table below.

Item	\$
Staff salaries and related expenses <sup>1</sup>	315,603
Business travel	61,229
Printing and production	379
Contractors	7,417
Telecommunication costs	1,820
Meeting expenses, stationery, consumables and miscellaneous expenses	1,553
<b>Expenditure Total</b>	<b>388,001</b>

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<sup>1</sup> Figures for staffing expenditure shown above reflect the standard three person secretariat supporting the committee. The staffing level may have varied over the year, with staffing resources allocated across the Committee Office according to varying demand.

## 5 Meeting attendance record

The table below shows the attendance of committee members at committee meetings during the reporting period. During the year, the committee membership changed as follows:

- Mr Glenn Butcher MP was discharged from the committee on 29 November 2016
- Mr Duncan Pegg MP was appointed Chair on 29 November 2016, and discharged from the committee on 14 February 2017
- Mr Joe Kelly MP was appointed Chair on 14 February 2017
- Mr Tony Perrett MP and Mr Ted Sorensen MP were discharged from the committee on 14 February 2017, and
- Mr Lachlan Millar MP and Mr Pat Weir MP were appointed to the committee on 14 February 2017.

SO 202(1) provides that in the case of a committee member's illness or inability to attend, another member may be appointed to attend that meeting or stand in for a particular inquiry. During the year:

- Dr Christian Rowan MP substituted for Mr Ted Sorensen MP on 30 September 2016
- Ms Di Farmer MP substituted for Mrs Julieanne Gilbert MP from 9.15am – 11.00am on 12 October 2016
- Mr Aaron Harper MP substituted for Mrs Julianne Gilbert MP on 24 October 2016, and
- Mr Linus Power MP substituted for Mr Jim Madden MP on 21 February 2017.

<b>Meetings</b> (P) private; (PH) public hearings, (PB) public briefing,*sub-committee	Butcher	Perrett	Gilbert	Katter	Kelly	Madden	Sorensen	Millar	Pegg	Weir
4 July 2016 (PH)	✓	✓	x	x		✓	✓			
5 July 2016 (PH)	✓	✓	x	x		✓	✓			
6 July 2016 (PH)	✓	✓	x	x		✓	✓			
7 July 2016 (PH)	✓	✓	x	x		✓	x			
21 July 2016 (P)	✓	✓	✓	✓		✓	✓			
10 August 2016 (P) 10.00am	✓	✓	✓	✓		✓	✓			
10 August 2016 (P) 10.27am	✓	✓	✓	✓		✓	✓			
17 August 2016 (P)	✓	✓	✓	✓		✓	✓			
31 August 2016 (PH)	✓	✓	✓	✓		✓	✓			
30 September 2016 (P)	✓	✓	✓	✓		✓	x			
30 September 2016 (PB)	✓	✓	✓	✓		✓	x			
12 October 2016 (P)	✓	✓	✓	✓		✓	✓			
12 October 2016 (PH)	✓	✓	✓	✓		✓	✓			
12 October 2016 (PB)	✓	✓	✓	✓		✓	✓			
14 October 2016 (P)	✓	✓	✓	✓		✓	✓			
19 October 2016 (P)	✓	✓	✓	✓		✓	✓			
24 October 2016 (P)	✓	✓	x	x		✓	✓			
28 October 2016 (P)	✓	✓	✓	x		✓	✓			
2 November 2016 (P)	✓	✓	✓	✓		✓	✓			
9 November 2016 (P)	✓	✓	✓	✓		✓	✓			
10 November 2016 (P)	✓	✓	✓	✓		✓	✓			
14 November 2016 (P)	✓	✓	✓	x		✓	x			
30 November 2016 (P)		✓	✓	✓		✓	✓		✓	
30 November 2016 (PH)		✓	✓	✓		✓	✓		✓	
30 November 2016 (PB)		✓	✓	✓		✓	✓		✓	
12 December 2016 (P)		✓	✓	✓		✓	✓		✓	
12 December 2016 (PB)		✓	✓	x		✓	✓		✓	
16 December 2016 (P)		✓	✓	✓		✓	✓		✓	
15 February 2017 (P)			✓	✓	✓	✓		✓		✓
15 February 2017 (PH)			✓	✓	✓	✓		✓		✓

<b>Meetings</b> (P) private; (PH) public hearings, (PB) public briefing,*sub-committee	Butcher	Perrett	Gilbert	Katter	Kelly	Madden	Sorensen	Millar	Pegg	Weir
15 February 2017 (PB)			✓	✓	✓	✓		✓		✓
21 February 2017 (P)			✓	✓	✓	✗		✓		✓
1 March 2017 (P) 9.00am			✓	✓	✓	✓		✓		✓
1 March 2017 (PH)			✓	✓	✓	✓		✓		✓
*1 March 2017 (P) 12.15pm			✗	✓	✓	✗		✗		✓
6 March 2017 (P)			✓	✓	✓	✓		✓		✓
22 March 2017 (P)			✓	✓	✓	✓		✓		✓
12 April 2017 (P)			✓	✓	✓	✓		✓		✓
27 April 2017 (P)			✓	✗	✓	✓		✗		✓
27 April 2017 (PH)			✓	✗	✓	✓		✓		✓
4 May 2017 (P)			✓	✗	✓	✓		✗		✓
4 May 2017 (PH)			✓	✗	✓	✓		✗		✓
10 May 2017 (P)			✓	✓	✓	✓		✓		✓
10 May 2017 (PH)			✓	✓	✓	✓		✓		✓
10 May 2017 (PB)			✓	✓	✓	✓		✓		✓
15 May 2017 (P)			✓	✓	✓	✓		✓		✓
24 May 2017 (P)			✓	✗	✓	✓		✓		✓
25 May 2017 (P)			✗	✓	✓	✗		✓		✓
9 June 2017 (P)			✗	✓	✓	✓		✓		✓
14 June 2017 (P) 8.30am			✓	✓	✓	✓		✓		✓
14 June 2017 (PH)			✓	✓	✓	✓		✓		✓
14 June 2017 (P) 11.39am			✓	✗	✓	✓		✓		✓
16 June 2017 (P)			✓	✓	✓	✓		✓		✓
19 June 2017 (PH)			✗	✓	✓	✓		✓		✓
20 June 2017 (P)			✗	✓	✓	✓		✗		✓
20 June 2017 (PH)			✗	✓	✓	✓		✓		✓
23 June 2017 (P)			✓	✗	✓	✗		✓		✓
30 June 2017 (P) 2.31pm			✓	✗	✓	✓		✓		✓
30 June 2017 (P) 2.41pm			✓	✗	✓	✓		✓		✓