


~~government: 2016-17 results of financial audits be referred to the Economics and Governance Committee; that the Auditor General's report to parliament No. 7 of 2017-18 titled Health: 2016-17 results of financial audits be referred to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee; and that the Auditor General's report to parliament No. 9 of 2017-18 titled Energy: 2016-17 results of financial audits be referred to the State Development, Natural Resources and Agricultural Industry Development Committee.~~

## VEGETATION MANAGEMENT AND OTHER LEGISLATION AMENDMENT BILL

### Introduction

 **Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (3.02 pm): I present a bill for an act to amend the Planning Act 2016, the Planning Regulation 2017, the Vegetation Management Act 1999 and the Water Act 2000 for particular purposes. I table the bill and explanatory notes. I nominate the State Development, Natural Resources and Agricultural Industry Development Committee to consider the bill.

*Tabled paper:* Vegetation Management and Other Legislation Amendment Bill 2018.

*Tabled paper:* Vegetation Management and Other Legislation Amendment Bill 2018, explanatory notes.

Today I introduce the Vegetation Management and Other Legislation Amendment Bill 2018. This amendment bill will deliver on Labor's commitments dating back to 2015. The amendments that I bring into the parliament are necessary to protect Queensland's remnant and high-value regrowth vegetation. It is all about restoring a sustainable vegetation management framework for managing a valuable resource on behalf of the people of Queensland. I would like to thank my cabinet colleagues the Deputy Premier and the Minister for Environment and Great Barrier Reef for their contributions to developing this bill. They are both passionate advocates for environmental causes.

The Labor government has a long and proud history of delivering nation-leading reforms in vegetation management, dating back to the introduction of the original vegetation management laws in 1999. It was a Labor government that 14 years ago put an end to broad-scale clearing of remnant vegetation here in Queensland. Those reforms delivered the largest single reduction in greenhouse gas emissions in Australia's history and allowed the Howard government to tell the Australian people that we had met our international commitments under the Kyoto protocol. These nation-leading reforms came to an end in 2013 when the LNP set about removing the protections that the Labor Party had built over 13 years.

**Mr Millar** interjected.

**Mr DEPUTY SPEAKER** (Dr Robinson): Order! The member for Gregory will cease interjecting.

**Dr LYNHAM:** The results should surprise no-one. Within three years in Queensland clearing rates of remnant native vegetation increased from 59,800 hectares in 2012-13 to 138,000 in 2015-16. This amendment bill seeks to end the levels of broadscale clearing that the LNP legislation created.

**Honourable members** interjected.

**Mr DEPUTY SPEAKER:** Order! Those on my left will cease interjecting. The minister is introducing and speaking to the bill. He has not said anything provocative.

**Dr LYNHAM:** I would like to draw the attention of the House specifically to the removal of provisions that allowed for clearing for high-value agriculture and irrigated high-value agriculture. The Newman government introduced this clearing purpose into legislation which led to broadscale clearing of our irreplaceable remnant vegetation. From today, there will be no more of those approvals. However, to give certainty to industry we will honour existing approvals.

The bill will reinstate the protection of high-value regrowth vegetation on freehold and Indigenous land. The bill will change the definition of 'high-value regrowth' to ensure that additional vegetation that has significant environmental value is protected. This aligns with scientific advice provided by the Queensland Herbarium.

**Mr Millar** interjected.

**Mr DEPUTY SPEAKER:** Order! Minister, please take your seat. I warn the member for Gregory under standing order 253A.

**Dr LYNHAM:** As a result, it is proposed to change the 'high-value regrowth' definition that currently exists from woody vegetation that has not been cleared since 31 December 1989 and forms an endangered, of concern or least concern regional ecosystem vegetation to high-value regrowth vegetation that has not been cleared for 15 years. This regulatory change will be supported by mapping updates to the regulated vegetation maps. This approach is well supported by ecological science.

Under the new definition, high-value regrowth will continue to be mapped as category C on freehold and Indigenous land, as well as on leasehold land, that is, agriculture and grazing leases. Restoring the pre-2013 mapping of high-value regrowth on freehold and Indigenous land protects approximately 630,000 hectares on freehold and Indigenous land.

With the changes I am proposing to the definition of 'high-value regrowth', our government will protect an additional 232,275 hectares. These two measures will protect an additional 862,506 hectares of high-value regrowth. Importantly for the environment, approximately 405,000 hectares or 47 per cent of this is within the Great Barrier Reef catchments.

Importantly, our government will be providing better protections under the vegetation management framework for near-threatened species. These are species that are listed under the Nature Conservation Act 1994, where our scientists have evidence that the population size or distribution of the wildlife is small, may become smaller or has declined and there is concern for their survival. Our near-threatened plants and animals were dismissed by the LNP government as not worthy of protection. On the other hand, the Labor party is of the firm belief that these species need our protection, otherwise we face the regretful prospect of their decline.

Near-threatened species were removed from the essential habitat mapping layer in 2013. When we compared the high conservation values' methodology to the existing statutory framework, it showed that near-threatened species have limited regulatory protection. The essential habitat mapping layer used in the Vegetation Management Act will be updated, protecting endangered, vulnerable and near-threatened species. The essential habitat of our valued animals and plants will be protected in both remnant and high-value regrowth vegetation. Offsets will apply to approvals for any significant residual impact on near-threatened species where the clearing of remnant vegetation cannot be reasonably avoided and minimised.

This bill will also extend protection to regrowth vegetation in watercourse areas for the Burnett-Mary, eastern Cape York and Fitzroy catchments, providing consistent protection to regrowth vegetation in all Great Barrier Reef catchments. This builds on the measures introduced in 2009 which regulate the clearing of vegetation within 50 meters of a watercourse in the Burdekin, Mackay-Whitsunday and Wet Tropics. The bill will also amend the Water Act to re-regulate the removal of vegetation in a watercourse under a riverine protection permit.

After listening to stakeholder feedback, the bill will not include a reverse onus of proof provision nor will it remove the application of the mistake of fact defence for vegetation clearing offences. To minimise pre-emptive clearing and impacts to the environment, certain provisions in this bill will apply from the date of its introduction to this parliament.

I want to stress that the Labor government will honour the long held security provided to category X areas on a property map of assessable vegetation. Since 2004 all governments have provided certainty to landholders that areas shown as category X on a property map of assessable vegetation are, and continue to be, exempt from the vegetation management framework.

In conjunction with this bill, a major update to the vegetation management maps based upon the Queensland Herbarium's regional ecosystem mapping will be released including updates to the wetland and essential habitat mapping. An update of this scale has not been undertaken since 2013 and will ensure the vegetation management framework is using the best available science.

These maps are currently going live online. Landholders wishing to find out how their property is affected can request a property report and vegetation maps from my department's website. These maps are based on the latest advice from the independent Queensland Herbarium and we are confident they are accurate. However, if landholders are still unsure or believe they have identified an error, I would encourage them to call the vegetation management hotline on 135VEG, 135834, or go into their local department office.

The government is committed to retaining accepted development codes for low-risk activities, while ensuring they deliver appropriate protections. As outlined through our election commitment we will continue to provide flexibility to landholders through codes as long as they are providing appropriate protections based on advice from the Queensland Herbarium.

Following a review by the Queensland Herbarium, and subsequent review by the CSIRO, a decision was reached that thinning is not a low-risk activity. Therefore I intend to withdraw this accepted development code from the regulation once this bill commences. In the interim, I am remaking the code to include the best scientific advice on how to minimise the risks until the code can be withdrawn. I will retain an assessment pathway in the legislation for those landholders who need to manage thickened vegetation. It will remain a relevant purpose in the Vegetation Management Act for which development applications can be made.

In conjunction with this bill, I asked my department to progress the review of the revised fodder code on which we consulted in 2016 and commence a rolling program to revise and implement the other acceptable development codes throughout 2018. The revised managing fodder harvesting code has been developed by my department based on scientific input from the Queensland Herbarium and the CSIRO. The immediate remake of the managing fodder harvesting and the managing thickened vegetation codes will invalidate all previous clearing notifications and introduce for the first time size and time limits on the areas able to be notified for clearing under an accepted development code. My department will be consulting throughout 2018 with stakeholders to finalise the remaining codes.

To give further effect to our commitment to reflect the best science available, I have asked that the remade codes are supported by relevant scientific advice from the Queensland Herbarium and the CSIRO. My department, in conjunction with the Herbarium, will also be improving the statewide land cover and trees study report to establish a comprehensive monitoring program for the vegetation management framework to better support evidence based policy.

We are responding to stakeholder input and future SLATS reports will include any increase in woody vegetation as well as clearing rates. Those with a stake in our vegetation management laws will all benefit from an online report that is delivered in a timely manner that shows vegetation trends throughout Queensland, including the extent and the condition of our native vegetation and how much is being cleared and for what purpose.

I believe this bill and the complementary measures that I have outlined will deliver on the election commitment to deliver a more sustainable vegetation management framework for Queensland. This government will continue to work with our vital agricultural sector so that together we can care for the environment and ensure that their farms can pass, in good condition and in safe hands, from generation to generation. I commend the bill to the House.

### First Reading

**Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (3.15 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### Referral to State Development, Natural Resources and Agricultural Industry Development Committee

**Mr DEPUTY SPEAKER** (Dr Robinson): Order! In accordance with standing order 131, the bill is now referred to the State Development, Natural Resources and Agricultural Industry Development Committee.

### ~~Portfolio Committee, Reporting Date~~

~~**Hon. AJ LYNHAM** (Stafford—ALP) (Minister for Natural Resources, Mines and Energy) (3.15 pm), by leave, without notice: I move—~~

~~That under the provisions of standing order 136 the State Development, Natural Resources and Agricultural Industry Development Committee report to the House on the Vegetation Management and Other Legislation Amendment Bill by 23 April 2018.~~

~~Question put—That the motion be agreed to.~~

~~Motion agreed to.~~