

~~While the LNP is tearing itself apart, this Palaszczuk Labor government is getting on with the job. We are clear that we are here for all Queenslanders. While no Queenslanders understands what the LNP really stands for, it is very clear what we stand for. We stand for shoring up the economy, for investment in infrastructure, for creating jobs, for restoring front line services and for keeping our promises.~~

~~**Mr DEPUTY SPEAKER** (Mr Elmes): The time for matters of public interest has passed. I call the Minister for State Development and Minister for Natural Resources and Mines.~~

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## <LAND AND OTHER LEGISLATION AMENDMENT BILL

### Introduction



**Hon. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (2.48 pm<): I present a bill for an act to amend the Land Act 1994, the Land >Title Act 1994 and the Planning (Consequential) and Other Legislation Amendment Act 2016 for particular purposes. I table the bill and the explanatory notes. I nominate the Infrastructure, Planning and Natural Resources Committee to consider the bill.

*Tabled paper:* Land and Other Legislation Amendment Bill 2016.

*Tabled paper:* Land and Other Legislation Amendment Bill 2016, explanatory notes.

The Department of Natural Resources and Mines is committed to continually reviewing and improving the tools it uses to administer Queensland's land portfolio. The Land Title Act underpins Queensland's world-class titling system, also known as the Torrens system. This system is widely acknowledged for the certainty and security it provides on who owns what parcel of land and if there are any encumbrances on a parcel of land including mortgages, leases and covenants.

Queensland is participating, through a Council of Australian Governments intergovernmental agreement, in the delivery of a nationally consistent electronic conveyancing, e-conveyancing, system. E-conveyancing, which has already commenced in Queensland, will see all Australian states and the Northern Territory creating and lodging land dealings via an online hub. Implementation of e-conveyancing will foster efficiency, accuracy and certainty for users of the hub including financial institutions and legal practitioners and their clients.

The amendments that I am introducing today support e-conveyancing and include the current settlement notice mechanism being replaced with a nationally consistent priority notice. A priority notice enables a person intending to purchase land or take a mortgage to prevent registration of other dealings occurring on the land until their contract is completed and titling documents registered. This priority notice has been agreed by members of the Australian Registrars National Electronic Conveyancing Council, of which the Queensland Registrar of Titles is a member. The move to e-conveyancing will support the state's steps towards fostering a digital economy.

A further amendment to the land titling legislation is aimed at ensuring caveats are used appropriately when lodged by registered owners in dispute with a mortgagee. Another amendment clarifies that any compensation arising from the improper use of a caveat is to be paid by the person claiming an interest in the land, not a legal practitioner lodging the caveat on that person's behalf.

A number of streamlining amendments are also proposed in the bill including enabling recognition of a beneficiary of a will in situations where the deceased person's estate has been granted probate elsewhere in Australia, the UK or New Zealand, so saving time and costs; and providing the registrar with the power to withdraw documents that have no legal meaning and cannot be given effect under Queensland law. This amendment aims to prevent situations which have come to the notice of courts in Australia, Canada and elsewhere in recent times where certain documents are being used as a pseudolegal technique to avoid meeting legal obligations.

The bill also proposes a number of minor amendments to the Land Act. Some amendments relate to the state land registers kept under the Land Act as well as mirror amendments to the Land Title Act in relation to trustees, beneficiaries under a will and pseudolegal documents. The bill also proposes to allow community purpose reserves to be created within a non-tidal watercourse for very specific purposes with the support of the chief executive of the Water Act 2000. This aims to enable activities such as camping and protection of cultural artefacts to be appropriately managed when they occur in areas such as riverbanks or boundaries of lakes.

Clarification is also provided that a lease or deed can be granted to the Commonwealth government through specifying that the Governor in Council can grant a deed and the minister can

grant a lease to the Commonwealth of Australia. Trust land such as cemeteries and reserves is important to local communities and, to minimise disruption in the management of this land when a trustee resigns, it is proposed to regulate a transition process to enable a suitable replacement person to be appointed.

Amendments are also proposed to clarify provisions concerning rolling term leases. Specifically, the provisions clarify that a rolling term lease cannot be extended more than once in its current term and also confirms that the term of a rolling lease cannot be extended for longer than the original term of the lease. Provisions will also be expanded for a rolling term lease to include leases below the high watermark that are tied by a covenant to an adjoining major tourism venture on a regulated island.

The bill also seeks to remedy the situation where a public utility easement, say for power lines, is extinguished when a lease on a reserve expires. The bill also extends the ability to register a restricted use or preservation covenant over a range of state land tenures including unallocated state land, reserves and an occupation licence. At present these covenants can be registered over leases and road titles.

Approvals to sublease, place an easement or enter into a covenant include mandatory standard terms. These terms cover liability, indemnity and insurance requirements. Issues such as duty of care, environment protection, declared pests and subleasing are also covered by these mandatory terms. Mandatory standard documents are lodged in the Titles Registry and can be obtained on the payment of the regulated fee, whereas approvals for leases, licences or permits are accompanied by mandatory conditions which are in a regulation. It is proposed to enable mandatory standard terms to be specified in a regulation which will be easier to obtain and consistent with other Land Act dealings. These amendments are minor but will add value in the administration of land. I commend the bill to the House.

### First Reading

**Hon. AJ LYNHAM** (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (2.54 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 the Infrastructure, Planning and Natural Resources Committee

**Mr DEPUTY SPEAKER** (Mr Elmes): Order! In accordance with standing order 131, the bill is now referred to the Infrastructure, Planning and Natural Resources Committee. >

## ~~<CHILD PROTECTION (OFFENDER REPORTING) AND OTHER LEGISLATION AMENDMENT BILL~~

### Introduction

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police, Fire and Emergency Services and Minister for Corrective Services) (2.55 pm): ~~I present a bill for an act to amend the Child Protection (Offender Reporting) Act 2004, the Police Powers and Responsibilities Act 2000 and the acts mentioned in schedule 1 for particular purposes, and to repeal the Child Protection (Offender Prohibition Order) Act 2008. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.~~

~~Tabled paper: Child protection (Offender Reporting) and Other Legislation Amendment Bill 2016.~~

~~Tabled paper: Child protection (Offender Reporting) and Other Legislation Amendment Bill 2016, explanatory notes.~~

~~I am very pleased to be able to introduce the Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2016. This bill confirms the Palaszczuk government's commitment to protecting the most vulnerable people in our society—our children—and it reinforces my commitment as Minister for Police to keep Queenslanders safe. The bill will provide that protection by strengthening the existing legislative framework that manages the activities of reportable offenders and providing police with the powers they need to prevent recidivist sexual offending against children.~~