

**AgForce Queensland Farmers Limited**

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Ref: MG/DM/GG018

27 February 2018

Committee Secretary
State Development, Natural Resources and Agricultural Industry Development Committee
Parliament House
George Street
Brisbane QLD 4000By Post & by Email: sdnraidc@parliament.qld.gov.au

Dear Dr Dewar

Re: Submission on the Land, Explosives & Other Legislation Amendment Bill 2018

AgForce Queensland Farmers (AgForce) is the peak rural group representing the majority of beef, sheep & wool and grain producers in Queensland. The broadacre beef, sheep and grains industries in Queensland generated around \$6.8 billion in gross farm-gate value of production in 2015-16. AgForce exists to facilitate the long-term growth, viability, competitiveness and profitability of these industries. Our members provide high-quality food and fibre products to Australian and overseas consumers, manage around 40% of the Queensland agricultural landscape and contribute significantly to the social fabric of rural and remote communities.

The Queensland Parliamentary website notes that the Land, Explosives & Other Legislation Amendment Bill 2018, was originally referred to the Infrastructure, Planning & Natural Resources Committee prior to the dissolution of Parliament for the 2017 election and that the subject Bill is substantially the same as the previous Bill. It is also noted that the Committee may have regard to any evidence provided to the previous committee whilst considering the subject bill.

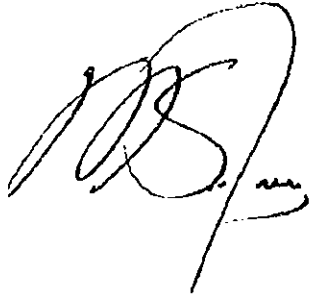
AgForce made a submission on the original Bill (attached) and we would request that the State Development, Natural Resources & Agricultural Industry Development Committee review and incorporate this material into their deliberations.

AgForce held some discussions with the Department of Natural Resources during the caretaker period about potential remedies for our concerns however, we can see no resolution of these apparent in the newly presented Bill.

Given the gravity of non-compliance with the Bill's proposed retrospective conditions, AgForce would strongly urge the Committee to seek guidance and assurances regarding the applicability of these new provisions to rural leases and if required, AgForce is available for further comment after the public briefing on the Bill currently scheduled for 5 March 2018.

Any questions in relation to this submission should be referred to [REDACTED]
[REDACTED]

Yours sincerely

A handwritten signature in black ink, appearing to be 'M. Guerin', written in a cursive style.

Michael Guerin
Chief Executive Officer

Enc: AgForce Submission on the Land, Explosives & Other Legislation Amendment Bill 2017

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26 October 2017

Our Ref: LH/GG050

Infrastructure, Planning and Natural Resources Committee
Parliament House
George Street
BRISBANE QLD 4000By Post & By Email: ipnrc@parliament.qld.gov.au

Dear Committee

Re: Land, Explosives & Other Legislation Amendment Bill 2017

AgForce is the peak rural group representing the majority of beef, sheep & wool and grain producers in Queensland. The broadacre beef, sheep and grains industries in Queensland generated around \$5.7 billion in gross farm-gate value of production in 2014/15. AgForce exists to facilitate the long-term growth, viability, competitiveness and profitability of these industries. Our members provide high-quality food and fibre products to Australian and overseas consumers, manage around 40% of the Queensland agricultural landscape and contribute significantly to the social fabric of rural and remote communities.

Thank you for the opportunity to provide comment on this Bill.

As noted in the Explanatory Notes accompanying the Bill, AgForce has raised concerns regarding the applicability of repair, removal and remediation of buildings and structures requirements to rural leases (which cover approximately 70% of the State).

Our reading of the Bill is that whilst the new s156/s156A/s156B/s156C processes will only take effect upon lease expiration, cancellation and/or forfeiture (meaning they are unlikely to apply to rural leases), the amended s199B conditions are effectively retrospective, will apply during the term of any lease and failure to comply with the remedial notice can result in lease forfeiture.

While these provisions could arguably be sensible for public safety and protection of the State's assets, further investigation and in-depth understanding of rural leases leads us to have ongoing concerns about the applicability of these proposed sections to rural leases, despite the assurances of the Department of Natural Resources and Mines.

Firstly, rural leases are long-term agreements in which the State has effectively handed over control of the land to lessees; in many instances, this has been done in perpetuity or over terms of many decades. A 2014 Parliamentary Committee inquiry questioned the 'Future and Continuing Relevance of Government Land Tenure' in Queensland and ultimately supported significant freeholding of pastoral leases in recognition that the State ceded its interest in these leases long ago. Given this renewed legislative interest by the Government in the safety or remediation costs of leaseholder-erected structures, it seems to be a regressive step.

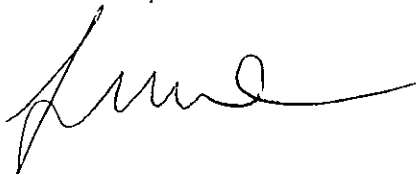
As most people living in remote rural areas will appreciate, an ongoing lack of tradespeople means that few buildings and structures are constructed according to a comprehensive certification and/or building standards. In fact, a systematic investigation of leases and their associated structures would likely reveal few structures of a high-quality standard. Safety is everyones business and AgForce would certainly encourage all broadacre primary producers to take appropriate steps to ensure that their properties are safe for their families and employees.

Our reading of the amended s199B is that the Minister can now put a retrospective condition on leases to carry out repairs on buildings or structures - and lease forfeiture is a potential penalty for non-compliance with the remedial action notice. The loss of a family home and business seems an excessive penalty for rural lease conditions.

Given the inability in getting appropriate tradespeople, the sheer number of non-compliant structures likely to be present across the large number of rural leases, the fact that these leases are bought and sold on the open market and the fact that the Department has confirmed that rural leases are not the intended target for this amendment, we believe the current drafting should be revisited.

If you have any questions, please do not hesitate to contact Policy Specialist, [REDACTED]

Yours faithfully



Lauren Hewitt
Policy Specialist