TRANSPORT AND RESOURCES COMMITTEE

Members present:
Mr SR King MP—Chair
Mr LL Millar MP
Mr BW Head MP
Ms PE Pease MP
Mr LA Walker MP
Mr TJ Watts MP

Staff present:
Mr Z Dadic—Assistant Committee Secretary

PUBLIC BRIEFING—INQUIRY INTO THE LAND AND OTHER LEGISLATION AMENDMENT BILL (NO. 2) 2023

TRANSCRIPT OF PROCEEDINGS

MONDAY, 27 NOVEMBER 2023

Brisbane

MONDAY, 27 NOVEMBER 2023

The committee met at 9.00 am.

CHAIR: Good morning. I declare this public briefing for the committee's inquiry into the Land and Other Legislation Amendment Bill (No. 2) 2023 open. My name is Shane King. I am the member for Kurwongbah and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past and present. With me here today are Lachlan Millar, the member for Gregory, who is our deputy chair; Bryson Head, the member for Callide; Joan Pease, the member for Lytton; Les Walker, the member for Mundingburra; and Trevor Watts, the member for Toowoomba North.

On 15 November 2023 the Hon. Scott Stewart, Minister for Resources, introduced the Land and Other Legislation Amendment Bill (No. 2) 2023 into the Queensland parliament. It was referred to this committee, the Transport and Resources Committee, and the purpose of today's briefing is to assist the committee with its consideration of the bill.

This briefing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only committee members and invited witnesses may participate in today's proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I remind committee members that departmental officers are here to provide factual or technical information on the bill. Any questions seeking an opinion about policy should be directed to the minister or left to debate on the floor of the House.

These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and my direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Please turn your mobile phones off or to silent mode.

COOPER, Ms Claire, Acting Executive Director, Georesources Policy, Department of Resources

HAUSLER, Mr Simon, Director, Land Operations Support, Land Policy and Support, Department of Resources

JAMIESON, Mr Peter, Acting Executive Director, Land Policy and Support, Department of Resources

OVERLAND, Mr Michael, Principal Adviser, Land Policy and Legislation, Land Policy and Support, Department of Resources

CHAIR: Welcome. I invite you to make an opening statement of approximately five minutes. Then we will move on to questions from the committee members.

Mr Jamieson: My name is Peter Jamieson. I am the acting executive director, Land Policy and Support. Michael is here to assist with any questions around the Land Act amendments; Simon is here to answer any questions on the placenames and Claire will answer any questions on the resources legislation. That will help the committee. I thank the committee for the invitation to provide this briefing on the Land and Other Legislation Amendment Bill (No. 2) 2023. For the committee's benefit, I provide an overview of the key amendments contained in the bill. For ease of understanding, I want to do the Land Act amendments first, then I will do the placenames and then I will go on to resources, just so the issues do not get muddied.

The bill amends the Land Act 1994, the Land Regulation 2020 and the Land Title Act 1994 to make state land administration more efficient and transparent. It will also ensure that the framework supports government priorities and meets community needs and expectations. Resources consulted, and we offered one-on-one meetings, with all of our stakeholders. AgForce, the Aboriginal and Torres Strait Islander Legal Service, Local Government Association of Queensland, Queensland Law Society, UDIA and the Uniting Church in Australia Property Trust all provided comment to assist in the preparation of this bill.

To reduce regulatory duplication, the bill removes the mandatory requirement for a most appropriate use assessment for tenure decisions. This is a time-consuming assessment and it duplicates the land use evaluations undertaken under other statutory instruments, including those made under the Planning Act. That is one of the key amendments of this bill. The amendment will provide the chief executive with the discretion to use existing statutory instruments that have made this assessment in local government planning schemes. The amendment better aligns the Land Act with the state's planning framework, which already provides a robust process for assessing the use of land involving more transparency and rigorous public consultation.

The bill will also simplify the process for granting land to state agencies in freehold. At present the Governor in Council may grant land without competition to the minister for Economic Development Queensland. However, priority projects are the responsibility of numerous departments, so what this amendment will do is save the government both time and money and avoid, for example, establishing overriding provisions and special purpose acts. Examples include the Queen's Wharf Brisbane Act 2016 and the Implementation of the Spit Master Plan Act. Again, rather than do special purpose legislation, the Land Act will be able to do that for those priority projects. This reduced administrative burden will allow the state to deal with commercial development projects on a commercial basis with the benefit of freehold title.

The bill also removes restrictions on additional purposes to term leases for pastoral purposes. Leaseholders will benefit as it will allow them to diversify income streams. A leaseholder, for example, may wish to use part of their lease for a solar farm, camping or a farmstay. A secondary income stream could often support an enterprise through challenging seasonal conditions or commodity price fluctuations.

There was one amendment that was not able to be subject of the consultation. The Department of Environment and Science sought an amendment after public consultation had completed. This amendment applies to a grazing lease over either a state forest or a protected area estate. The amendment has no impact on those leaseholders as it does not remove the opportunity to apply for approval to undertake additional activities. What that change simply will do is require that those leaseholders apply to the Department of Environment and Science under either the Forestry Act or the Nature Conservation Act 1992 rather than the Land Act.

Other amendments contained in the bill will enable the minister to dedicate a reserve for any purpose where there is a demonstrated community need and it is in the public interest. One example is a reserve for sports purposes and the building or the hall on that sports reserve is needed to facilitate a public health immunisation program. That is a live example, of course, from recent history. The bill will provide more flexibility for the 21,000 state land reserves managed by trustees for a variety of community purposes—for example, parks, public halls and sporting grounds. To be more responsive to community needs, the bill will replace the specific purpose outlined in schedule 1 with six categories of community purposes. Each category will have a non-exhaustive list of examples that reflect the intended uses. For example, a reserve for parks and recreation may be used for gardens, open space and sports.

The bill will also give our trustees, such as statutory bodies and local governments, expanded discretion to take actions or make trustee leases that are inconsistent with the purpose of trust land without the approval of the minister. Trustees choosing to exercise this discretion will need to ensure the actions do not diminish the primary purpose or adversely affect the public interest. Examples include allowing electric vehicle charging infrastructure at frequently visited reserves or allowing markets or coffee carts at community parks. Native title rights continue to be protected by the requirements under the Land Act. Any action taken by a trustee must be consistent with the Commonwealth Native Title Act 1993 and, of course, the Native Title (Queensland) Act 1993.

I will move on now to the placenaming framework and updating that framework. For the proposed amendments to the Place Names Act, the Local Government Association of Queensland and the Great Barrier Reef Marine Park Authority were provided with policy papers. The bill extends the considerations in developing decided placenames to include government initiatives or policies for placenames, socio-economic effects of giving a name, changing or discontinuing the name of a place—for example, the cost to businesses resulting from a change to a placename—and compliance with other acts, including the Human Rights Act 2019 and the Anti-Discrimination Act 1991. The powers to develop, publish and decide on a placename sit with the minister, resulting in the single decision-maker having responsibility for preparing and deciding naming proposals. To promote transparency—and that is what this bill will be doing—it will separate these powers so that the chief executive recommends placename proposals to the minister for the minister's decision. Rather than the one seat of power, it divides it into the chief executive and the minister. The bill will enable public

submissions on placename proposals to be made in multiple formats, including audio and video. This provides greater accessibility for the community, of course. The bill will reduce the mandatory minimum consultation period from two months to one month, consistent with consultation periods in other jurisdictions. The chief executive has discretion to specify a longer period where necessary.

The bill provides for limited circumstances where the chief executive may decide that consultation is not required—for example, where extensive public consultation has occurred, where the name that is being changed or removed is derogatory, racist, sexist or distressing or where a proposal is unlikely to be of interest to the community, for example the naming of a remote or minor feature. As a safeguard, the minister retains the power to require a proposal to be published before proceeding with the decision. To address any social or economic implications of a name change, the bill provides discretion to allow the existing name to continue as an approved name for a transitional period of up to five years.

I will move on now to the resource authority mandatory conditions for local government rates payment. Resources released consultation papers referring to the payment of local government rates and charges as a mandatory condition. Resources engaged with the Queensland Resources Council, the Australian Energy Producers and the Association of Mining and Exploration Companies. There is a general level of acceptance regarding the intention of the proposed amendments to support the community's expectation that the resources industry should provide benefit to the communities in which they operate. Resources also engaged with the LGAQ and South West Queensland Regional Organisation of Councils.

Local governments have been supportive of these amendments. The bill makes the payment of local government rates and charges a mandatory condition of petroleum, gas and geothermal and greenhouse gas resource authorities, consistent with mining leases under the Mineral Resources Act 1989. The amendment will enable the department to take actions to address noncompliance, such as reducing the term or area of the resource authority, imposing a monetary penalty or cancelling the resource authority. The amendments will enable security to be used to pay local governments any outstanding rates and charges and empower the minister to take non-payment into consideration when deciding future resource authority applications. The amendments incentivise compliance by the resources industry and support local government to recover unpaid rates and charges. That brings my opening statement to a conclusion. My colleagues and I would be pleased to answer any questions that the committee may have.

CHAIR: Thank you very much.

Mr MILLAR: To the Place Names Act 1994 amendments, could the name of a town or city be changed?

Mr Hausler: Yes, a locality, including a town, is a place under the act and it could therefore be changed.

Mr MILLAR: What is the process by which a person or a community can seek to have the name of a place that they find offensive changed?

Mr Hausler: The amended act effectively sets out a process whereby the chief executive would make a proposal for the renaming of a place and the decision to prepare a proposal might come as a result of input raised by the community. That proposal would then go out for community consultation and after that community consultation the minister would make a decision.

Mr MILLAR: Who determines if the name of a place is offensive? How is ‘offensive’ currently defined with regard to placenames and does this bill seek to change that?

Mr Hausler: As for who decides whether a placename is offensive, the minister ultimately is the one who takes action on that name. The chief executive responsible for the Place Names Act is responsible for preparing a proposal. It is a two-step process, if you like. There are two different elements to it: the chief executive to prepare a proposal—the chief executive must consider if, acting under that power, that name is offensive—and then the minister must follow that up. Only the minister or another minister is able to be delegated with that power under the act. It is not able to be delegated down to an officer in the Public Service, for example. In terms of whether there is a definition, there are considerations. There is a section of the existing act which is called ‘Place naming issues’ and that part of the act is being updated to consider, for example, Human Rights Act implications. It is being broadened, but there is not a definition in the sense of a specific application for what is offensive. There was a third element to your question and I have forgotten it.

Mr MILLAR: With regard to placenames, does the bill seek to change that?

Mr Hausler: The bill is amending the placenaming issues—the issues that are being considered in making a decision—but there is not a definition of 'offensive' and the bill is not changing that component of it.

Mr WATTS: I am interested in the current situation. The situation proposed under this bill is that the minister has absolute discretion as to whether a placename should be changed or not, regardless of the process that is gone through. Ultimately, it lands on their table and they can make the decision whichever way they like without any restraint.

Mr Hausler: A decision to rename a place currently and under the amendments—this element of it does not change—is an administrative decision. There are opportunities to challenge that through judicial review, but it is not a decision that otherwise has an appeal process or a review process. There is consultation, currently and in the future, built into the process of preparing a proposal where a proposal is needed or is deemed to be needed. No, there is not an appeal right. That is unchanged between the current act and the amended act.

CHAIR: I had a question about the amendments to the Land Act 1994 and the Land Regulation 2020. One of the proposed amendments will allow unallocated state land to be granted to the state without requiring a public purpose assessment. Is there a map of the current unallocated state land? What is the current process for dealing with that?

Mr Jamieson: We could provide a map of unallocated state land if that is what the committee wish to see.

CHAIR: I was wondering whether there was an actual map.

Mr Jamieson: We would be able to prepare a map.

CHAIR: I think that would benefit the committee if we could have that.

Mr Jamieson: Yes.

CHAIR: What is the current process for what happens with that unallocated state land? I know that you touched on it before.

Mr Jamieson: Section 122 of the act currently allows for the minister of Economic Development Queensland to decide where the state land can be provided. We have run into a few instances. The latest one that we were involved in involved The Spit, where we had to do special purpose legislation. In that case the government made a decision through cabinet and through the CBRC, and the The Spit Master Plan was released publicly. The decision was that, in the name of state development, they wanted to manage half a dozen parcels of land on a commercial basis. The Land Act was not able to do that. We then did that through its own bill, which went to the parliament in the last government. It was one of those things that came along. Every term there seems to be something that comes along once or twice. It just seemed to be worthwhile putting these things into the Land Act. Priority projects are across a range of governments, not just Economic Development Queensland. This is really just a replication of existing powers and their expansion to other entities.

Ms PEASE: You mentioned that there was a late amendment to the bill with regard to grazing opportunities in forestry. Could you elaborate on that? Will there be any impact on the graziers who are anticipating in that program?

Mr Jamieson: No. There will be no impact. There was an administrative process where if there was an application we would have consulted with the Department of Environment and Science and we would have dealt with it that way. The department felt that they wanted something a bit stronger in legislation to ensure that situation never occurred. We went through our records over the last five years and there had never been such an application. What we have is people who are grazing cattle over protected area estate or what is still state forest to be converted at some point in the future. You would not expect that those graziers would apply for another use. Our records show that they have not. It really is just in some ways the Department of Environment and Science seeking comfort in a legislative response rather than the existing administrative response.

Ms PEASE: Are there many of those arrangements in place across the state?

Mr Jamieson: I should remember the number. Michael, was it 3,000?

Mr Overland: Leases on protected area estates and state forests?

Mr Jamieson: Yes, state forests and protected area estates.

Mr Overland: No. It is not even that many. It is more like 700 or so, I think.

Mr HEAD: There is a fair bit intertwined here, as I understand, and a fair bit to cover. If my question does not make sense, I apologise in advance but hopefully you will pick it up. The member for Burnett has been campaigning for a number of years on an issue with regard to a school at Agnes

Water to try to save the school, which is subletting from an existing sport and recreation lease with a surf club that they hold through the state government. It was vacant for a period of time until the school came in. We understand that the school has been asked to move on because it does not fit within the community purposes that are under the current act. We are seeking to clarify whether these amendments may provide the opportunity for the minister to make the decision as to whether education facilities or health facilities may also be added to that community purpose list, or would they come under this in one way or another?

Mr Jamieson: In the current system—I will start from the basis that we call them 'trustees' in the Land Act, but historically we have never really treated them as trustees. We have allowed them to make a range of management decisions such as fencing and the like, but when it comes to decisions about the actual use of the land they require ministerial approval. What this bill is trying to do is allow those trustees to have the powers of trustees. Eighty-five per cent of them are local government and 10 per cent are state government. In a lot of ways we are regulating ourselves: we are regulating the state government or local government.

What we are proposing to do is allow those additional purposes to be added without ministerial approval. In order to do that, they need to provide a management plan. The provisions for a management plan are already in the Land Act, so it is using the existing tools in the Land Act to allow them to prepare a management plan of how they are going to use that additional purpose without affecting the primary purpose of the land.

In answer to your question about that school, I will have to take that on notice. I do know that particular issue. I just do not want to answer that question specifically and then have to retract from that, because there are a lot of issues to do with that.

Mr HEAD: That is fine. If you could take that on notice as to whether the minister may be able to make that decision—obviously you cannot pre-empt decisions the minister might make.

CHAIR: It is within the scope of the bill. I do not see any harm.

Mr Jamieson: I have no problems. I do know the issue, which is why I am reluctant to give a definitive answer.

CHAIR: You can take that on notice.

Mr WATTS: I have a supplementary question along those lines. Can you outline how this would affect showgrounds and show societies and their control over the footprint of their showground?

Mr Jamieson: I think this will be welcomed by those associations and the like. They will be able to have a look at using alternative activities as long as they have a management plan to show how they will not impact adversely on the primary purpose. Instead of taking these issues to the minister, they will be able to make those decisions.

Mr WATTS: Just to clarify, for example, if a showground wanted to put a motel on it, would that fall under this?

Mr Jamieson: No. You would not be able to do that.

Mr WATTS: That would be a planning issue.

Mr Jamieson: That is right. One of the issues—and these issues often get conflated—is that you can do a range of activities, and what we are doing is providing the freedom to do those other activities that you would expect on a reserve and it would be listed in schedule 1 of the Land Act. When it comes to things like that, you need planning approval. You need a material change of use, for example. You need consent from the owners of the land, which is the state government. For things like that, definitely no.

Mr WATTS: I am just trying to clarify exactly the extent of it. This allows activity, not necessarily infrastructure change.

Mr Jamieson: That is exactly right. This bill does not impact on how that is currently done. That is how it would be currently done. You would need to go and get planning approval and you would most likely get a no for those sorts of things.

Mr HEAD: You might have to take this question on notice. It is in relation to the same question I just asked. Would it cover existing leases, as in leases that are currently in place under the community purpose schedule, or would it only apply to new leases going forward? Would it apply to those leases retrospectively in terms of that school or would a new lease have to be set up?

Mr Jamieson: Without speaking to that specifically, it would apply retrospectively. What we have done is also amend schedule 1. Schedule 1 had a list. What was happening was that, unless it appeared on the list, it was very difficult for the minister to change it. What we have done is make six categories and used the remainder of the list, if you like, and lined it up so that they provide examples.

A trustee can then proceed to add an additional purpose or they can choose not to. They can even choose to go to the minister and use the current processes—we have not changed anything there—or they could take advantage of the new powers that we are giving the trustees. It is retrospective in that way. We will turn our minds to that when we answer your question about that particular school.

CHAIR: Member for Callide, we will get a bit of clarification from you later as to the actual question taken on notice. It is about a school in Agnes Water. Do you understand the question?

Mr Jamieson: Yes. I already know the issue.

Mr WALKER: The member for Callide asked a question about name changes. There would be have to be a significant reason to trigger that, one would think—to go down that road?

Mr Hausler: Yes, that is correct. The placenaming issues cover both grounds for changing a name and grounds for retaining a name—for example, the length of time the name has been in use. The range of issues that must be considered in that decision-making is quite broad and certainly does include consideration of both the impact of changing the name and the community's attachment to a name or use of a name.

Mr WALKER: Cost would be a big consideration. If it is a whole town or a major area of a city or a township, how a name change would impact on land titles and property deeds would have to be a consideration, wouldn't it?

Mr Hausler: Exactly. Specifically, there is a placenaming issue identified around the socio-economic aspects of giving a name to a place or changing or discontinuing an approved name. The example provided in the bill is around the likely cost to businesses and members of the community resulting from a change to an approved name.

Mr WALKER: For example, if you had a town with 100,000 properties, it would be a bit scary in relation to changing a name with all of the deeds having to be changed. That would be a big cost impact to the state.

Mr Hausler: Absolutely—very substantial.

Ms PEASE: I apologise for my ignorance up-front. I am trying to get an understanding of the changes of use of properties. I understand that a lot of the trustees are councils. The act currently has a list of community purposes. You mentioned that coffee vans and those sorts of businesses might have to come through the state for approval. Does that currently have to happen?

Mr Jamieson: It does. What we are proposing is that they will be able to make those decisions themselves. Currently, even minor issues need to be addressed by the minister rather than the trustee, who should have trustee powers, being able to exercise those powers. What we have done is widen the test as well. Currently, the test is simply that it has to be a community purpose, and you would have to look in schedule 1 and then at the impacts on business, where the minister will now have a wider test in looking at the community and the public need. There is a wider test that the minister can use.

Ms PEASE: I am just trying to understand. I am a Brisbane-based MP. Brisbane City Council looks after all of the parks. If a coffee van wants to be on the road, they can be on the road without having to apply to the state for a permit, but if they want to go inside the park then the council, as the trustee of the property, cannot give them permission to do that?

Mr Jamieson: At the moment, but this bill will allow that, yes. Before now, these are the sorts of things the minister would be getting across his desk. Rather than being involved in whatever the issues are, they should be handled at the local government level—by the trustee.

Ms PEASE: Does the trustee make the application for permission or does the business itself make the application?

Mr Jamieson: The trustee has to allow it. They can ask the trustee in whatever form—

Ms PEASE: Who are 'they'—the business?

Mr Jamieson: Yes. It could be a business asking the trustee and there would not be any bureaucratic forms around that. They would ask the trustee for those powers and the trustee would then make the decision.

Ms PEASE: I am confused about that, then.

CHAIR: I have a question, and once again it is out there. We have a local carwash that does a dog wash as well. He wanted to go mobile down to the local dog parks, which are council parks, and was told, 'No, you can't do that. It's not allowed.' With council being the trustee for those local parks, he could then write to council and council could approve it without it having to come back to—

Mr Jamieson: That is right, if there was a management plan. Or the trustee could still continue to refuse and indicate that for whatever reason—

CHAIR: Because it was too difficult in the past. That was the explanation from council.

Ms PEASE: I have a similar issue. I have a coffee van that wanted to go inside a park, and they were told by council that they had to get state government permission to do that.

Mr Jamieson: That is right.

Ms PEASE: They do not have to if the trustee will enable it?

Mr Jamieson: After this bill is passed.

CHAIR: That is what this legislation seeks to achieve.

Mr Jamieson: Yes, it will address both of those.

Ms PEASE: It is interesting, because my coffee van is now operating in—let's not go out there.

CHAIR: Member for Toowoomba North, let's go back to the showgrounds.

Mr WATTS: It is actually not showgrounds. I am interested in the definition of public interest to include economic considerations. I am trying to understand. Could you expand on (a) why we are doing that; and (b) when we look at economic considerations, who is deciding whether that is in the public interest or not?

Mr Jamieson: It is the minister's decision. The issue again came up with the Southport Spit and the minister is turning their mind to it. There are certain groups they could say, 'An economic interest isn't a public interest. It's not there; it's not listed.' Really, it is for completeness that went in there. It gets no preference over any of the others; it is just in there to allow the minister to make a range of decisions based on economic, social, community, environmental—

Mr WATTS: That is the bit I am trying to drill down to. At the moment, a financial implication is not part of the consideration.

Mr Jamieson: That is right.

Mr WATTS: I am a little concerned that that element is being introduced over public land.

Mr Jamieson: It is just another matter the minister could turn their mind to, based on the facts.

Mr WATTS: Prior to this amendment, the process would be that it would land on the minister's desk, there would be a consideration, and you would need special purposes legislation to include economic impact. Is that what would happen?

Mr Jamieson: That is right.

Mr WATTS: Whereas now it will be at the discretion of the minister or the department.

Mr Jamieson: At the moment, the minister could make a decision whether there were economic impacts because they are looking at a wider suite of issues. The deficiency in the legislation, it could be argued, was the fact that it did not have 'economic' in there. So somebody could point to it and say, ‘You shouldn't be making a decision on these economic grounds,' but the minister would not make a decision based solely on an economic ground; it would be on a suite of things. Really, it is there for completeness rather than being a singular thing there for a decision. It is not an economic decision; it is so that, when the minister is turning their mind to the public interest, they are able to look at a range of issues, including economic.

Mr WATTS: So the rationale is really to include that as part of the set?

Mr Jamieson: That is right.

Mr WATTS: Not to have it as a provision to override the set?

Mr Jamieson: That is exactly right, yes. That is what I was trying to get at. Otherwise, the provision would have had to be written in a completely different way if it was to be an economic decision.

Mr WATTS: I guess that is my concern. I do not want any one of those to be able to override everything else, including economic.

Mr Jamieson: That is right.

Mr WATTS: So it is a suite, and they are basically equal, and the minister can order those as the minister sees fit in terms of priority?

Mr Jamieson: That is exactly right. That is perfect.

CHAIR: That is introducing something into the mix for the decision-maker that was not previously there.

Mr Jamieson: Yes.

Mr HEAD: With regard to geothermal and GHG lease changes, I am curious how many tenures across Queensland or how many communities this will impact as it stands today. Obviously, that might change as leases change in the future.

Ms Cooper: I do not have the exact numbers, but I could take that on notice.

Mr HEAD: Could you that on notice how many leases that actually applies to across the state?

Ms Cooper: Is it just geothermal?

Mr HEAD: And GHG. They are both relatively similar amendments, as I understand it.

Ms Cooper: That is correct. It will be adding in petroleum or adding a few more.

Mr HEAD: Just greenhouse and geothermal, thank you.

Ms Cooper: I can get that for you on notice.

Ms PEASE: Can I just make a clarification. When I talked about my coffee van, it is not mine personally; it is just a coffee van in my electorate.

Mr WALKER: Mr Jamieson, in your opening statement you talked about how interfacing departments will overlap, so the purpose of my question is to provide some clarity. For example, if we have a strip of land in Townsville on the riverbank that becomes a PDA, priority development area, and some of that is state and public owned, there are some considerations that would go to another minister or director for some clarity when moving forward because those PDAs are to speed up economic development and get better outcomes in a master planned city.

Mr Jamieson: That is right.

Mr WALKER: This new legislation does not impact on that process?

Mr Jamieson: No.

Mr WALKER: It gives more clarity around the process, you would think?

Mr Jamieson: You would think. Again, if there is state land there that becomes allocated state land and it is required, say, in that priority development area and they already have a master plan for it or what have you, our minister would then be able to, through section 122 of the Land Act, give that to the department of state development or the planning minister et cetera.

Mr WALKER: Is it fair to say that this helps get some clarity around those departments interfacing to get better outcomes for economic uplift?

Mr Jamieson: That is right, yes.

Mr WATTS: In relation to the recreation areas management amendments in relation to naming, is there a list of recreation areas that are planned to have their names changed? That is part of my question. Could you outline what the process would be and what the potential benefits would be of going through the name change of a recreation area?

Mr Jamieson: There is no list that has been provided for us. This is Department of Environment and Science legislation. It followed the renaming of K'gari. There is a recreation area on K'gari, and they realised that the recreation areas management legislation was not able to be changed to reflect the name change. We have not been given a list; it simply is a power to allow a recreation area to be changed if that is required. That would then probably follow a process that Simon has been talking about and the like. They would not be going off and just renaming these recreation areas without working with placenames legislation.

Mr WATTS: For clarity of the record, just go through what would be involved in renaming a recreation area. What would be the process? Who initiates, who approves, how does that flow through and what are the consultation requirements? Can it just be that a person writes a letter to the minister? I am trying to understand the process.

Mr Jamieson: We might have to take that question on notice in terms of the administrative arrangements that might sit around it. In a legislative sense, it is by the making of a regulation. That regulation would then be in parliament and subject to disallowance, but it would be a regulation prepared by the minister responsible for the Recreation Areas Management Act. In terms of whether there would be any administrative framework outside the act around the process for initiating that, if it is okay we might take that on notice and find out from our colleagues in DES.

Mr WATTS: I have to check with the chair if it is okay to place that on notice. From my perspective, we have lots of history, some dating back tens of thousands of years, and I am just trying to understand the process that is going to be enacted—who has what discretion and who controls that. I can see that potentially you can get a fairly polarised argument on some things.

CHAIR: It would be pretty well spelled out in the legislation that is before the House, so I do not see any problem with getting some further clarity on that, if that is okay. It is not seeking opinion or anything. It is just asking for some clarity on the process.

Mr WATTS: Just understanding the process.

CHAIR: You may wish to change the name of Suncorp Stadium back to Lang Park.

Mr WATTS: It is Brisbane Stadium now. They already changed the name.

CHAIR: That is more a private business decision, I know, but a lot of recreational places have been renamed after businesses for financial gain. That would not be part of this process at all?

Mr Jamieson: It is not a placename issue. It is not a consideration.

CHAIR: There you go: we got that out of the way. Now we know. Are there any further questions?

Mr HEAD: I am just curious whether in the consultation process there was any particular opposition raised to any of the clauses that the committee could be made aware of.

Mr Jamieson: I will speak to the land amendments. There were not any issues. We had fairly good support around the trust amendments, very good support for section 16 and support from AgForce, for example, on that section 199A that allows other uses on a pastoral lease, for example. I will turn to the others about support for placenames. As far as I am aware, everything was supported.

Mr Hausler: There was substantial discussion around implementation and consultation, ensuring that consultation occurred through implementation. No, there were no particular clauses that were subject to opposition.

Ms Cooper: Similarly for the resources act. Industry was generally supportive, understanding there is a need to support the local communities in which they operate, and local government was very supportive.

Mr WALKER: I just wanted to get some clarity around the name changing of landmarks. I will give you an example. In Townsville, Castle Hill-Cootharinga is a shared name, so there is no big process because it is just a shared name. It would be a simpler process if we went down that road with other landmarks that want to put in a First Nations name, that we do both. Just recognise it and share it. Are there opportunities to do that and speed that process up without impacting on the current status of the landmark—like Mount Stuart, for example, in Townsville, if there was a First Nations name put to that.

Mr Hausler: The Place Names Act as it is currently in force does allow for that. It does not prevent it from happening. It does not provide particularly strong support for it. It does not deal with it administratively, but it is possible to do. It has been a matter of policy whether it is done or not. The amendments that are being made to the act do not really change that. They do provide a little bit more acknowledgment of the fact that there may be dual names, but that is largely in administratively recognising that it is not the name of a place. It may be 'an' approved name rather than 'the' approved name. These reforms are not going to the point of providing an in-depth framework that you might find in other jurisdictions around having two names used in the normal course of the process. That would be a future reform, potentially.

Mr WALKER: It is quite simple to have a First Nations or landmark name of another nature that could be running parallel, just to recognise the history.

Mr Hausler: That is correct. A decision could be made for there to be a second name. In conversation around that, the place-naming issues would consider a range of things. As you say, thinking about the naming issues in the act, it would be more straightforward with a landmark than with other localities, for example, but it is possible.

Mr WATTS: I am curious in relation to the minister being able to use security payments to remedy unpaid local government rates. What is the quantum of that and what is the current process versus what is being proposed to change?

Ms Cooper: The current quantum will depend on each individual tenure, and it would be looked at on a case-by-case basis around what security is required. The proposal here is to be able to apply that security that is held by the department to the payment of outstanding local government rates and

charges. If, for example, the amount of security is not sufficient to cover that outstanding amount then under the current legislation and current frameworks you can ask for additional security. That is the process that we would go through if these amendments are passed.

Mr WATTS: If they take some of the security to pay the rates then the state does not have any security.

Ms Cooper: I thought that might be a question. We would ask for additional security. There is that ability to ask for additional security.

Mr WATTS: What would be the process if they do not?

Ms Cooper: If they do not?

Mr WATTS: Provide the additional security. If they have not been paying their rates, I am imagining they might not be too attuned to paying additional security, either.

Ms Cooper: We have a whole range of compliance tools available under all the various acts, so if that was not forthcoming there would be an ability to deal with that. I can come back to you on the exact procedure if you would like.

Mr WATTS: Obviously, we are trying to help local government get rates. I want to understand what exposure the state has for potentially losing some security over that and what is the remedy for that. We remedy one problem, but potentially we are now underwriting it as a state.

Ms Cooper: That is something that would be taken into consideration by the minister to exercise the power to pay that security over, or the department to pay that security over, versus knowing what the department may need for security for the actual tenure. That would be a consideration.

CHAIR: Without seeking an opinion, what would be an example of that? Would it be a sporting club or a pastoralist? What sorts of rates not paid—any?

Ms Cooper: These are the resource authorities. They do have to pay rates if they have a lease under the resources act.

CHAIR: So a mining lease?

Ms Cooper: That is right.

CHAIR: Sorry, I did not know where you were going with that.

Mr WATTS: It is really just a transfer of risk. They have not paid a bill. We want them to pay the bill. I guess I want them to pay the appropriate bill to the appropriate person, not lose the security over what else we might have.

Mr HEAD: Is this something that is actively a problem that you are trying to address or is this something that other jurisdictions have done proactively to avoid potential problems?

Ms Cooper: It is to deal with an existing issue. Through our consultation we heard from a number of local governments. They gave examples of where they have outstanding rates and charges for authority holders which have been going on for some time. It is really to be able to address that—knowing, of course, that the amounts we are talking about can really impact on a small community. We as the Queensland government really want to encourage the support of local governments and foster the social licence.

CHAIR: We have placed some questions on notice.

Ms Cooper: I do have an answer to a question on notice. People have been busily working in the background. There ends up being one geothermal lease.

Mr HEAD: And no greenhouse gas lease?

Ms Cooper: No greenhouse gas tenure.

CHAIR: We do have some other questions on notice. The member for Callide asked about the school and the process for the transfer of naming of recreation areas, and I wanted a map of unallocated state land. If we could have the responses to those questions on notice by 3 pm on Tuesday, 5 December, that would be appreciated.

The committee adjourned at 9.50 am.