



Speech by

Hon. R. WELFORD

MEMBER FOR EVERTON

Hansard 26 August 1999

ACQUISITION OF LAND AMENDMENT BILL

Hon. R. J. WELFORD (Evertton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (4.38 p.m.), in reply: I thank all honourable members for their contributions to this debate. As a number of members have indicated, this Bill represents a relatively modest amendment to the Acquisition of Land Act. It makes some basic and straightforward amendments which are designed to enable the legislation to operate effectively and give effect to longstanding practices that have already been in place.

I thank my counterpart, the shadow Minister and member for Keppel, for his contribution to the debate. He gave an accurate description of the issues that this legislation addresses. I had provided the honourable member with a departmental briefing on the legislation. I thank him for his cooperation in addressing the amendments in this legislation. I have given the honourable member an undertaking that, in all legislation that I bring before the House, I will make available to him a full and open briefing so that he is fully aware of the implications of the legislation that comes before this Parliament while I am the Minister.

The member for Mirani, regrettably, did not make a very constructive contribution. He has been a member for only a short time and perhaps he will mature with experience.

An Opposition member: Callide.

Mr WELFORD: Callide, I am sorry. Perhaps he will mature with experience.

Mr Cooper interjected.

Mr WELFORD: I note the interjection from the member for Crows Nest. It gives an indication of the mentality with which he approaches issues on which people have different opinions. It is an interesting commentary on the attitudes of some members of the Opposition that they see that issues are resolved in that way. In effect, on these issues the member for Callide runs with the foxes and hunts with the hounds. He says one thing to the people in his area and other things to other people. On the one hand, he wants to acknowledge the need for acquisitions. On the other hand, he rails against the acquisition process. In that respect, he dresses up his concern for land-holders on the issue and, in the end, resorts to rank hypocrisy.

In relation to the SUDAW development, the member raised the issue of standing in the marketplace. I can inform the honourable member that that process has not only proceeded but also a number of properties have been purchased using that standing in the marketplace approach—an approach embarked upon by the previous coalition Government, of which the honourable member is a party member, but which did not secure any sales. Incidentally, that is not a criticism of the previous Government. The simple reality is that when people in an area have the option of voluntarily choosing to negotiate, they understandably enter into negotiations with expectations of a value for their property that may turn out to exceed market value. When the valuations are undertaken and people see that they are perhaps not going to get as much as they had hoped that they would get for their property, it is natural for them to withdraw from that process and await a later time when they actually have to deal with it.

I do not see any point in either side of this House politicking about the success or otherwise of the standing in the marketplace approach. I think that it is a legitimate approach to take. I think that we

need to be open to negotiating with people, as we have now done, who wish to offer their properties for acquisition and seek to reach a resolution of the market value.

Of course, the member for Callide indicates that, in his view, and I can understand his view, people should be paid presumably something more than market value for their property—something that reflects the special attachment that people have to their place of residence and lifestyle. Although I accept the force of the member's comments that I perhaps do not fully appreciate how people who live on the land regard their attachment to the land, I am not sure that that attachment is materially different from the attachment that many people, whether they are in rural or urban areas, feel to places in which they have lived for a long, long time.

It is the same trauma that elderly people face when they are confronted with either continuing to try to reside in their own homes and care for themselves or move into places where greater levels of care are provided. I acknowledge that it is a painful experience for people to leave their homes. However, I think that it is difficult for Governments—and there is no political divide on this issue—to rationally adopt any policy position beyond what Governments have done historically, namely, deciding that the appropriate measure of compensation is the market value of the property at the time of acquisition. Unless an arbitrary percentage premium or some other measure of that kind is chosen, I just do not know how one properly quantifies the value of either the dislocation and discomfort that people might feel or the level of attachment that they have to their properties. Some people may have a higher level of attachment than others. How does one measure that in financial terms? We acknowledge that the property has value to people, but measuring the final value is an extremely difficult proposition.

It may be that the only way in which the member for Callide will ever be able to resolve that issue in his mind is when, at some future time in history—and as he represents a safe seat he may have that opportunity—he sits in my position and faces the reality of having to deal with that policy question. It is not an easy one to address. I do not think that any members of this House deny that there is a real issue in the level of dislocation and discomfort that people experience when their properties are acquired for infrastructure purposes. However, I think that how we can move from what is a transparent and recognisable system of compensation based on market value is the \$64,000 question that, to date, no Government has been able to overcome. Notwithstanding that, I acknowledge that the member has a legitimate entitlement to represent the views of his constituency, and he certainly does that forcefully.

I thought that the member for Bundaberg made a commonsense and concise contribution that was focused on the topic. She has been a great advocate for economic development in her electorate. She continues to work very closely with me as a member of my ministerial committee to ensure that the issues of her community in relation to my portfolio are addressed thoroughly.

I note the comments of the member for Gympie and the member for Cunningham. I understand their concerns and I appreciate their contributions to the debate. Both the member for Cunningham and the member for Warrego referred to vegetation management, or tree clearing. I was interested to hear the comments of the member for Cunningham about the views of his parents in relation to the protection of trees or clumps of vegetation on his property. In my short experience as a Minister circulating in rural communities, it is interesting to observe that many of the people who have been on the land for a long time—and I mean the elders of rural industry—have a more sympathetic view of their land than perhaps do some of the later generations. I think that it is probably unfair to make that generalisation, because certainly some younger people are very innovative, too. However, it strikes me that there is a certain wisdom of the elders that, in some areas, is being lost in the way in which we now care for land.

Mr Seeney: Economic pressure.

Mr WELFORD: True, economic pressures have driven people to take measures in relation to their land that they otherwise would prefer not to take. However, I think we are now learning—and the Landcare movement is teaching people this—that those measures that are taken in times of economic hardship are ultimately counterproductive. They ultimately do not solve the problem. It has been believed that driving the land more vigorously will provide some short term respite from economic hardship but, in the long term, people put themselves in a spiral of irrecoverable decline. I think that more and more land-holders are, hopefully, understanding that.

The whole issue of the vegetation management process that I am embarking upon is really to simply try to support the good land management practices that many people are applying already. It is really nothing more than that. I know that it would not matter whether it was this Government or a Government of a different colour trying to address this issue, as the member for Cunningham said, there are people who will regard these measures as a threat and, therefore, will take pre-emptory and probably unjustified action. As I indicated on the Country Hour program yesterday, those people will ultimately do themselves a disservice. They are out there now. I know that some panic clearing is occurring. I think that is regrettable. I could take a sledgehammer to it, but I have given an undertaking

to rural communities to do the best that we can to consult with them, accepting also that we need to get these measures in place relatively quickly so that people have some planning certainty for the future. It is a difficult balance. We will undertake further consultation but, as I have indicated quite openly previously, I hope to resolve these issues by the end of the year so that people can plan and we can roll out the implementation and ongoing consultation processes. In that way, rural communities will be able to take greater local responsibility for the management of their natural resources to protect those resources for future generations.

The member for Warrego made some comments in relation to the acquisition of land for other purposes. Infrastructure, water infrastructure, roads and those types of things are the conventional issues that give rise to acquisition issues for people. Of course, in recent decades the issue of protecting land for its conservation values has also seen Governments exercising their acquisition powers to protect land for the broader community. As time passes, I believe that Governments will come to see the importance of a whole range of values in managing landscapes that are appropriate for them, on behalf of the whole community, to protect.

We need an acquisition process that, as far as possible, respects people's concerns and interests and compensates them properly. We need a process that, as far as possible, places people in a position that is not dissimilar to the position that they were in before the acquisition. That is not always possible. The member for Warrego raised the possibility that the compensation level might differ from the market value, in which case we need to ensure that the compensation level is enough for people to settle on a similar block of land of similar capability somewhere else. That is the goal that the market value approach seeks to achieve, but it is very difficult, in the heat of actual negotiations, to satisfy people that we will ever find a block of land that matches the one that they are familiar with. That is a very difficult thing to do.

For the time being at least, I regret to say that I do not have the wisdom of Solomon when it comes to a mechanism for compensation other than using the market value approach that Governments have taken for many years. Until someone can enlighten me with a more innovative policy framework for dealing with the issue, I think we are all stuck with that approach, regardless of which side of the House we sit on.

I thank all members for their contributions to this debate. I also thank the Opposition for its cooperation on a Bill that is relatively machinery in nature.
