



Speech by

GEOFF WILSON

MEMBER FOR FERNY GROVE

Hansard 29 February 2000

LAND COURT BILL

Mr WILSON (Ferny Grove—ALP) (4.35 p.m.): It gives me great pleasure to support the Land Court Bill. It is yet another example of the reform agenda of the Beattie Labor Government, moving to tidy up the law in the important area of litigation concerning land valuation and resumption and other issues falling under the Land Act.

The chief details regarding the legislation have been well canvassed by my colleague the member for Greenslopes, and I shall not recite all of them again. Suffice to say that a number of the key benefits of this Bill are that proceedings before the Land Court, now created as a separate part of our judicial system, are greatly streamlined from what they were before. Secondly, there is a lower cost involved in parties litigating before the Land Court. Thirdly, the Land Court is made into more of a specialist tribunal that brings great expertise to bear on the factual circumstances regarding valuation and resumption matters.

Overall, it is greatly welcome reform in this area of the law. It makes access to the legal system that much easier and quicker for ordinary people in the community. After all, that is what the legal system should do. It should provide not only justice in the resolution of disputes but also easily accessible and speedy resolution of those disputes.

There is one area in my electorate in the Samford Valley which I very much hope never has to make use of this greatly improved Land Court system. The matter which I want to draw to the attention of the House arises from a meeting of the Samford State School P & C which occurred about 10 days ago. At that meeting a report was given on progress being made by the subcommittee of the school P & C to build at the Samford State School a new school building and a large community hall that will hold about 1,000 people and will also provide a venue for sporting activities such as basketball.

The key issue which remains to be resolved, and which is presently standing in the way of the commencement of construction and then finalisation of this school and community hall, is a fairly complex land transfer between the Pine Rivers Shire Council, Education Queensland and the Department of Natural Resources. It is my understanding that fairly sound progress has been made by all of the parties concerned to effect a simultaneous transfer of rights to property between these parties to create a new, enlarged block of land upon which the school and community hall and a large car park will be built.

If that simultaneous transfer of rights is not able to take place in a timely fashion or at all, it may be that the parties involved have to reach agreement about an alternative means by which interests in the relevant parcels of land that are involved in this complex situation are transferred. If that were to happen, that would probably involve valuation of the parcels of land, particularly the land owned by the Department of Natural Resources. It would also raise questions as to what is an appropriate market value for the land so that negotiations could then proceed about the transfer, perhaps at market price. That would significantly increase the total cost of the hall and, therefore, the transfer of land interests at market price before this project could be concluded. I would hazard a guess that, if this alternative course had to be pursued—heaven forbid that we have to go down this track—there would be a lot of controversy about the appropriate valuation of the parcels of land in question.

The purpose of my raising this matter in the debate about the broader question of the Land Court is to impress upon the House the importance of the resolution of this simultaneous transfer of title

taking place in a timely fashion and to impress upon the Minister for Natural Resources and the Minister for Education, both of whom are sitting in the House today, how vitally important it is that their respective departments process very quickly the remaining steps that need to be taken before this transfer of land can occur.

I want to provide some background, because this is an extremely important issue in my area, so I ask that members are attentive for a couple of moments. I know that members are well aware of the important issues that affect their constituents and how they see this place as providing an opportunity to draw to the attention of other parliamentarians the need to fix those problems.

The Samford State School and community hall project has been under way for about two years. The project was initiated through local community and school fundraising activities. Similar to all good, strong local communities, everyone in the local community of Samford Valley has joined together, put their shoulder to the wheel and worked hard to progress the local community. Community fundraising activities, such as a talent quest, a Christmas raffle and many others, have been conducted by the Samford Rotary Club. The Samford Reconciliation Committee also conducted a successful fundraising activity in cooperation with the Samford State School and other groups, including the Samford Valley Steiner School, which has also raised money for this hall. It has been a great focal point for drawing together the local community and engaging the public to raise money for this worthwhile project. In total, over the past two years approximately \$25,000 has been raised from these sorts of activities. In addition, Education Queensland has agreed to contribute the standard contribution available for these types of buildings across the State, namely, \$125,000, and up to \$30,000 is also being made available to help defray the costs of seating in the hall. As I said, that is the standard figure available to primary schools when building school halls.

Another hall is being built by the Ferny Grove State School, which is in the metropolitan part of my electorate. Similarly, it will benefit ultimately from the Queensland Government's Statewide program which provides \$125,000 for capital costs and up to \$30,000 for seating. This financial year the Pine Rivers Shire Council has budgeted for a \$500,000 contribution towards the Samford school hall. A reasonable sum of money still needs to be raised to complete the total package of funding for this worthwhile project.

However, because the simultaneous transfer of interests in property held by three different entities is critical to the continuation of this project and its finalisation, I am raising this issue in the context of the debate on the Land Court Bill. The parties involved do not wish to end up before the Land Court—albeit a remarkably improved structure as a result of this Bill—fighting over the market valuation of the land parcels involved. The community has worked very hard to put together the funding for the project. It does not need to be put on the back foot through having to look for additional funding from whatever source to help pay for increased costs associated with the land transfer.

The timing over the next several weeks is critical, because tenders have been called and a successful builder for this large project will be selected within the next seven to 14 days. The plans for the school hall and the large car park have been approved by the Pine Rivers Shire Council and also by the Department of Public Works, as I was advised today, and are ready to go. They are being retained by the Department of Public Works, working in conjunction with the Facility Services Section of the Department of Education, pending the conclusion of the land transfers. Once the builder is selected in up to 14 days' time, I am advised that the builder will be given a short time before he is authorised to commence work. Under the contract, the construction work is planned to take approximately 26 weeks to complete, including all of the associated access roads and the car park that I spoke about earlier. It is anticipated that four to six weeks will be spent on site preparation before actual construction of the school hall can start. I am told that they hope to turn the sod to symbolise the commencement of construction in May. As I said, the potential for a logjam to exist within the Departments of Education and Natural Resources over this complex land transfer was raised with me for the first time about 10 days ago at the P & C meeting. When it was raised, I willingly indicated to the meeting that I would be very happy to assist the parties in expediting a resolution to this problem if they thought that I could give them any assistance and if they made contact with me after the meeting. That has since happened and I organised a meeting for this morning. It is foremost in my mind that I bring this matter to the attention of the House and to the attention of the two relevant Ministers, to whom I have spoken, so that I can get things moving and clear this logjam.

Tonight there will be a meeting of the parties involved and tomorrow there will be another meeting with the Pine Rivers Shire Council, which has had carriage of the issue of land transfers up to this point. In relation to my ability to assist as the State member for Ferny Grove, having been invited by the P & C, I indicate that I am happy to lend a hand to the Pine Rivers Shire Council to assist in finalising this important remaining problem that exists at a State level. At the meeting I had this morning I was advised that, following the meeting tomorrow with the Pine Rivers Shire Council, the parties will contact me with further details about the stage at which the matter has reached with the Department of Education and the Department of Natural Resources so that we can convene a meeting of the relevant

officers, a representative from the offices of the Minister for Education and the Minister for Natural Resources and I so that this matter can be finalised as expeditiously as possible and with an outcome that is satisfactory to all involved.

It is a complex matter. The Land Court, about which this Bill is concerned, is designed to handle not just straightforward matters but also complex matters. That is why the proceedings before the court have been streamlined as far as possible. This complex matter involves, firstly, the transfer of a large section of land owned by the Pine Rivers Shire Council to the ownership of Education Queensland and, secondly, and at the same time, the creation of an easement by the Department of Education over an existing section of land owned by the Department of Education. Thirdly, and at the same time, it involves the creation by the Department of Natural Resources of an easement over a large portion of its land that abuts the Education Department's land such that, at the conclusion of the simultaneous transfer of interests in those three parcels of land, there is an enlarged and consolidated block of land that will hold the school and community hall structure, together with an expanded car park.

As members would know, from time to time in this House I have raised matters in relation to the Samford Valley. The other reason why it is so important to finalise this matter as quickly as possible and avoid any litigation or recourse to the Land Court is that last year the State Government—this Beattie Labor Government—made a very welcome decision to spend approximately \$2m on a major redevelopment at the Samford State School. The first stage of that redevelopment has just been concluded—in late January. That was the building of a second preschool unit at the school. That has been very, very warmly received by the local community and is now being well and truly used by the school community. The development work, including final plans, community and school community consultation for the development of the remainder of the enlarged State school complex that is going to be built at that site is now proceeding apace.

The school and community hall that is being developed and will be built on the site is going to be augmented by a marvellous redevelopment project for the Samford State School. So at the end of the day, we will have a very significant educational and community campus in the Samford Valley: 710 students in the Samford State School and approximately 100 students in the two preschool units. Measured against the average standards across the State, that is a very large State school. The Samford area is growing apace. Overall, this is a very, very significant development.

I commend this legislation to the House, and I trust that the members of the coalition will wholeheartedly support this legislation so that the streamlining amendments to change the way in which the Land Court functions can be put in place as quickly as possible. As I said earlier in my contribution, I hope that the parties that I have been working with recently on this issue of land transfers in the Samford Valley never have to have recourse to this greatly improved Land Court system, because commonsense and cooperation will continue to prevail amongst the officers of the Department of Education and the Department of Natural Resources in arranging for a speedy resolution of the land transfer issue with the Pine Rivers Shire Council and me. I commend the Bill to the House.
