



Speech by

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LAND VALUATION AND ACQUISITION

Ms LEE LONG (Tablelands—ONP) (5.55 pm): I rise to support the motion before the House which in essence calls for those affected by forced resumptions to receive fair and transparent compensation. It is a very simple, basic notion. I believe that most reasonable people would accept the idea that, from time to time, it is necessary for the interests of the community to override the interests of an individual or a small group. That can happen for a wide range of reasons, but most often it is to make way for capital works and infrastructure. A strip of land along the edge of a block of land may be needed for roadworks; dozens or hundreds of properties may have to be taken over to allow for a dam or other major projects to go ahead. However, I also believe that most people would be extremely unhappy to be one of those directly affected by such a resumption.

The concept of overwhelming community need is fine, but it can be a different kettle of fish if it is your home, your business or farm or your backyard that is under the gun. It is to address those tensions that we have the compulsory resumption processes and compensation channels in place. Now, after many decades when little or no infrastructure was built in Queensland, we are seeing some large projects underway including the Traveston Dam and the Tarong Coal power resumptions in the south-east. Of course, Queensland is simply more densely populated and these things, in combination, mean that the flaws and problems with the existing compensation processes are being highlighted.

A major issue is how compensation is decided. At present it is based on the valuation of a property. There are a number of ways that valuations can be decided including market values and replacement values, and there are some provisions for what is referred to as injurious affection. However, in practice the process has market valuations as the fundamental deciding factor and therein lies the problem. The variations in the market valuations provided by the parties involved can often lead to owners feeling badly dealt with. Indeed, I am advised that Queensland legislation does not even list the principle that people should be justly, fairly or adequately compensated, as do most other states.

The controversial Traveston Dam and resumptions for the Tarong Power Station projects have highlighted what can happen when entire areas are affected. People are faced with losing not only their homes but also their businesses. For example, farming is closely tied to the land and farmers have intimate knowledge of how a particular block works, where the good and bad drainage is, how reliable the pastures are and so on.

I am aware that changes introduced in the mid to late 1990s did create a fairer system, but it is still not seen as delivering just results for all. I believe that, as a starting point, those affected by compulsory resumptions should be able to expect similar for similar compensation. If they have a four-bedroom home on an average block, that is what they should get by way of compensation. If they have a productive farm that is able to support a family, that is what they should get by way of compensation. If they are able to keep the bulk of their property but suffer a major impact on their lifestyle, they should have access to funding to overcome that impact. To quote from research on the matter—

In practice the difference in dollars between market value and replacement/reinstatement value is marginal at best. This is because the fundamental principle of compensation is built on the premise that landowners are to be adequately compensated for the taking of

their land. In practical terms, adequate compensation is to be sufficient to put the landowner back in a similar position that he/she occupied before the land was taken.

In too many cases, however, it appears that this is not the result. One of the underlying issues causing the problems with the existing process is that differences in valuations are arrived at by both parties, and there are sometimes massive variations provided in some cases. For example, when a private professional valuer values the property at, say, \$600,000 but the government valuer says it is worth only \$200,000, there is clearly something seriously wrong. There are some owners who have been faced with this kind of confusion over wildly varying valuations.

It appears that it is almost always the government associated valuers who have a low or exceptionally low valuation and the privately engaged professional valuers who provide higher valuations. That kind of difference is bluntly difficult to understand. I think it is reasonable to expect two professionals carrying out the same task to come up with fairly similar results, not the same but certainly within the same ballpark. While the rule of thumb is to get three valuations and take the average, it appears that this is not happening in compensation matters. We are told constantly by our state government that we have a booming economy. Surely a fair deal for those people expected to suffer for the common good is not too much to ask.