




Speech By
Ann Leahy

MEMBER FOR WARREGO

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LAND AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LEAHY** (Warrego—LNP) (12.49 pm): I was nearly going to move an extension of time for the member for Gregory, because he was absolutely on a roll. I rise to contribute to the debate on the Land and Other Legislation Amendment Bill. The bill contains a number of technical amendments that focus on improving the administration of the Land Act and the Land Title Act by implementing a number of miscellaneous amendments. I thank the Agriculture and Environment Committee members for their consideration of the bill, especially the member for Gregory and the member for Condamine who appreciate how important the land tenure system is to rural and regional communities, jobs and agricultural profitability across Queensland.

In the explanatory notes for this bill, one of the first things I observed was that its amendments were consulted upon with the Stock Route Network Management Bill 2016. The explanatory notes for the stock route bill state that the consultation on the bill was undertaken widely across government and with key stakeholders. As the deputy chair of the committee that examined the stock route bill, I am aware of the consultation on that bill. It is not exactly clear what new or if any consultation was done on the Land and Other Legislation Amendment Bill. That was further evidenced by the opposition members' statement of reservations on the Land and Other Legislation Amendment Bill. In the statement of reservations, the member for Condamine advised—

Agforce, the peak body representing the State's agricultural interests noted in their submission that they only became aware of the Bill through the committee's alert once the Bill have been introduced and referred for consideration. It beggars belief that departments would not think it necessary to consult with peak industry bodies like Agforce.

Mr Rickuss: A half-truth.

Ms LEAHY: I take the interjection from the member for Lockyer. Exactly: it is a half-truth, if not really a truth at all. The committee had to seek extra briefings from the department after eleventh-hour meetings with departmental officers and stakeholders to work out the amendments to fix the bill's significant shortcomings. There has been no shortage of amendments circulated in the House today and that is an indication of a lack of rigour and a lack of early and meaningful consultation. There is something wrong here. Perhaps a clear explanation of what the department did or did not do when it comes to consultation on this bill would be appropriate, because I get the feeling that the department may well be leading the minister up the garden path.

Further, the Local Government Association of Queensland is unhappy with this bill. The committee report states—

The Local Government Association of Queensland (LGAQ) has stated in its submission that it believes that several of the proposed amendments will weaken the relationships between the State and local governments.

The committee report contains comments from the LGAQ that these amendments came out of left field, yet we have not seen any systemic issue to justify the seemingly heavy-handed regulatory response. The LGAQ has suggested that the current text of clause 24 be replaced by a provision inserting a requirement for a compulsory notice period to a resignation taking effect. The LGAQ told a committee hearing—

I do acknowledge that the department has recently had discussions with the LGAQ regarding the matters outlined in the LGAQ's submission ... Based on these discussions I do understand the intention of the amendments was to create a suitable transitional provision for resignations to occur; however, if this is the case I believe a sledgehammer has been used to crack a nut and I would encourage further options to be explored such as using provisions to provide for a notice of surrender period.

Organisations such as the LGAQ do not often make presentations to committees using language such as 'a sledgehammer has been used to crack a nut'. That is very unusual. Obviously they are extremely concerned. Those comments give an indication that the rationale behind this legislation has not been rigorous or widely consulted with the stakeholders who live and work in this space on a daily basis.

The bill amends the Land Act to clarify the rolling term lease provisions provided for by the former LNP government's rural reform initiatives. Something that many people in this House and across Queensland are probably unaware of is that approximately 60 per cent of the land mass in Queensland is leasehold land. Security of tenure underpins so much in today's communities and it should be held sacrosanct. One cannot have access to land without security of tenure. They cannot borrow funds and their credit risk increases without security of tenure. So much of legal and financial systems are underpinned by the security of tenure system in Queensland.

I wish to acknowledge the great work done by the former minister for natural resources and mines, the member for Hinchinbrook, and the tireless work that he did as minister to address the longstanding issues in the Queensland state land tenure system. The member for Hinchinbrook addressed issues that the Labor Party could not, would not and did not address for some 20 years. In the previous term of government, he knuckled down and did the heavy lifting for landholders in relation to tenure reforms. He implemented a landmark bill, providing greater security of tenure and certainty for leasehold landholders.

The LNP addressed a number of issues in the tenure system that drove investment for agriculture and tourism industries and, in turn, encouraged job creation right across Queensland, including in my electorate of Warrego. The centrepiece of the member for Hinchinbrook's long-awaited reforms were new rolling term lease extensions. That means that an eligible lease can be rolled over by extending the lease, generally by a term equal to the original term of the individual lease. For example, a lease that was originally issued for 30 years but has over decades had extensions will have its term extended by the original term of 30 years, which is the maximum period a lease can be extended without affecting native title rights and interests. A lessee will be able to apply for an extension of time in the last 20 years of the term of the lease or at an earlier time if the minister is satisfied that special circumstances exist. Existing requirements for rural lessees to enter into land management agreements in order to renew a lease were also removed at that time.

The new provision for rolling leases contained increase certainty of tenure and a much swifter process than the complicated and bureaucratic lease renewal processes that had pages and pages of paperwork attached to them. They were imposed on leaseholders by previous Labor governments. Queensland lessees are generally good managers of the land. They do not need government regulation to manage the land responsibly. In fact, when you move around the areas of Queensland where there is leasehold land and lots of freehold land, often you find that the leaseholders are much better managers of that land than governments are. The amendments in this bill clarify that an extension application may be made once during each term of the lease: once during the original term of the rolling term lease and once during the term of each extension. No application to extend the rolling term lease may be made until the lease is within the last 20 years of its term.

I urge the government to adopt committee recommendation No. 4, which is a particularly sensible recommendation, that section 164C(5) of the Land Act 1994 be amended to permit holders of a rolling term lease to make one application for the extension at any point during the term of the lease. I am pleased that the government has put forward an amendment to take on board that committee recommendation, because currently in my electorate there are leaseholders who want to exercise that opportunity to renew their leases. I can think of one constituent who, at the moment, is trying to sell his lease but is finding that very difficult because it is towards the end of the lease. He needs to do the paperwork to gain an extension to make his property far more attractive to prospective purchasers. It is particularly important.

It is also important that leaseholders have certainty around the legislative framework. Often we find that it takes some time for these sorts of amendments to filter through into the regions, where a lot of leasehold land applications are processed. In his address to the House yesterday, the member for Hinchinbrook talked about how a lot of the reforms have been taken up across Queensland. It is an absolute credit to the member for Hinchinbrook as those reforms were necessary and are extremely attractive to people. We have to understand that a lot of people across Queensland are still in drought conditions. They have to raise cash.

(Time expired)

