



Speech By
Deb Frecklington

MEMBER FOR NANANGO

Record of Proceedings, 7 September 2017

**LAND ACCESS OMBUDSMAN BILL; GASFIELDS COMMISSION AND OTHER
LEGISLATION AMENDMENT BILL**

 **Mrs FRECKLINGTON** (Nanango—LNP) (Deputy Leader of the Opposition) (7.56 pm): I rise to contribute to the cognate debate on the Gasfields Commission and Other Legislation Amendment Bill 2017 and the Land Access Ombudsman Bill 2017.

These bills are largely administrative. I note that the amendments basically relate to the operational structure of the GasFields Commission. However, there is some devil wrapped up in the detail and on that point I very much thank the member for Warrego, Ann Leahy, and the member for Gympie, Tony Perrett, for bringing those issues to our attention and holding that committee to account. I also thank the shadow minister for natural resources and mines, the member for Hinchinbrook, Andrew Cripps, who has taken carriage of this bill, particularly in relation to the Land Access Ombudsman Bill, whilst my shadow portfolio covers the Gasfields Commission and Other Legislation Amendment Bill.

The bill is largely informed by the independent review conducted by Professor Bob Scott who found the following—

Gasfield Commission functions should be maintained or enhanced in order that a harmonious relationship between the CSG industry and the agricultural land uses be created and maintained.

He goes on—

I have further concluded that the Gasfields Commission has contributed substantially to the improved coexistence of landholders, regional communities and the onshore gas industry in Queensland particularly by influencing the methods employed by CSG companies.

Lastly, Robert Scott found—

From the submissions I received, the Commission, through its functions, also enjoys good support from a number of other organisations including the LGAQ, the Centre for Coal Seam Gas, the Commonwealth Department of Industry, Innovation and Science and CSG companies and their peak organisations.

It is very important to set the scene about what Professor Scott said in relation to the workings of the GasFields Commission. The LNP created the GasFields Commission in 2012, because quite simply when the LNP came to government it had inherited a divided regional Queensland. Labor governments before us did nothing to quell the atmosphere of distrust and disharmony which had grown over the years between landholders and resource companies. Landholders, rightfully so, were crying out to be heard. For so many years the gas companies had been riding roughshod over them and there had simply been no adequate support at a government intervention level. We are talking about through the uptake of the coal seam gas industry in Queensland when we had a Labor government.

We know from history that when the LNP set up this GasFields Commission it helped create an even footing giving landholders access to information and assistance to help them through the negotiations required. The commission lifted the veil of secrecy. That is the point that I want to get to. The GasFields Commission enabled landholders across those gas fields to have a voice. They had someone to talk to. They had people on that commission who knew what they were going through.

Stories abound of those times before the GasFields Commission was set up. There were stories of landholders who had negotiated with coal seam gas companies to allow them on their place in good faith for a carton of beer a year, but then the neighbour had negotiated in good faith under the veil of secrecy for thousands of dollars. There was no even footing that put landholders on an even playing field when negotiating access rights between the companies and the landholder. That is why the LNP took that step.

I know that the shadow minister talked at length about this in his contribution. We need to give credit where credit should be given, that is, to the then deputy premier, the honourable Jeff Seeney the member for Callide, because he and the then cabinet put together the GasFields Commission under the chairmanship of John Cotter and the assistance of six commissioners. Given the work that those commissioners did on behalf of the state of Queensland, the landholders and the gas companies, they should be recognised in this House today.

I would like to recognise the contribution of John Cotter; Mr Don Stiller, a landholder and former mayor of Taroom shire; Mr Ian Hayllor, a cotton farmer and irrigator, who had a long involvement in managing the coexistence through his role as the chair of the Basin Sustainability Alliance—I had a lot to do with Ian Hayllor; Councillor Ray Brown, the then mayor of Western Downs; Mr Rick Wilkinson, the CEO of the Australian Petroleum Production and Exploration Association; Professor Steven Raine, a leading academic and soil scientist from USQ; and, lastly, Mr Shane Charles CEO of Toowoomba and Surat Basin Enterprise with over 20 years experience in the law.

I congratulate and thank those people who sat on that GasFields Commission and fought the good fight on this issue. Those commissioners brought the parties together to resolve the issues. It partnered with other bodies to undertake research and it convened advisory panels as needed. It also had the teeth to get the job done. The LNP gave the commission the powers to compel government agencies to provide information and advice. We cannot underestimate what those commissioners, with the assistance of the then LNP government, did for land access rights in regional Queensland. I note that the shadow minister, the member for Hinchinbrook, has said that the LNP will take a watching brief over this bill and the effects that it will have on those landholders and on the coexistence that is so vital for our agriculture and our resource industry in this state.

The Land Access Ombudsman Bill will establish an independent ombudsman with the powers to investigate and make recommendations to resolve disputes in relation to a conduct and compensation agreement or a make-good agreement. The creation of an ombudsman was not recommended by the Scott review. We are unsure why the government has chosen to go down this path. That is why a watching brief must be held on this issue. We note that Scott cited that other jurisdictions comparable to Queensland do not use an ombudsman for the purpose of land access disputes; therefore, we need to be rightfully slightly concerned that the introduction of this may not be the right way forward.

There is no doubt that there will be confusion between the ombudsman's role, that of the now new GasFields Commission and the other systems that are already in place under the Land Court. It must also be pointed out that while the Scott review considered matters around dispute resolution for the gas sector, the government has chosen to extend the scope of the bill to cover the coal and mineral sectors. There has been no consultation with these industries about how that will work with the sector. We need to be mindful that we have again seen the Palaszczuk government bring a bill into the House with no consultation.

I also note that landholders will be greatly disappointed that the GasFields Commission office will not be located in Toowoomba because it has been closed and moved to Brisbane. This is another example of how the city-centric Labor government does not get the bush. Of the 13 GasFields Commission staff members only three are employed as regional engagement officers. It is hard to picture how this will be enough people to offer effective services to those vast regional communities. That number will be very thin on the ground and totally impractical.

In relation to the major amendments to the GasFields Commission and the establishment of a Land Access Ombudsman, the LNP will be keeping a watching brief to ensure the original intent is complied with and our landholders in this great state are protected.