




Speech By
Lachlan Millar

MEMBER FOR GREGORY

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LAND AND OTHER LEGISLATION AMENDMENT BILL

 **Mr MILLAR** (Gregory—LNP) (5.41 pm): I can just feel the enthusiasm in the House when it comes to talking about this bill tonight. Everybody is hanging on every word as we talk about the Land and Other Legislation Amendment Bill 2016. There is absolute enthusiasm for this. On everybody's lips is the question: what is next? This is fantastic.

It gives me great pleasure to talk about the Land and Other Legislation Amendment Bill 2016. What we are talking about is something that is incredibly important to the people in the seat of Gregory, Warrego, Condamine, Hinchinbrook and Mount Isa. What we are talking about is fundamental property rights and protecting the fundamental property rights of primary producers.

The bill amends the Land Act 1994 and the Land Title Act 1994 to allow for the designation of watercourses or lakes as reserves, align Queensland's tidal registry system with that of other jurisdictions and make minor changes to improve the operation of the acts. One thing I will talk about when it comes to this bill is the consultation undertaken by the department and the government or, should I say, the lack of consultation undertaken by the department and the government with one of our key agricultural groups, AgForce. I was not surprised because it has happened before in this term of government where AgForce has not been consulted, has not been brought to the table and has not been allowed to communicate. We saw that when it came to the vegetation management laws that the Labor Party wanted to introduce. I will talk about that a little later.

The bill predominantly makes minor amendments aimed at streamlining the use of the Land Act and the Land Title Act. For example, provisions throughout both acts are amended to grant executors of a will registered in another jurisdiction equal status to those of one registered in Queensland.

The bill makes amendments to the two acts. The amendments include: allowing the dedication of non-tidal boundary watercourses or lakes as reserves for community purposes; and expanding the purpose for which a rolling term lease can be designated and clarifying the process for extension of a rolling term lease. Members on this side of the House certainly know the importance of expanding the purpose for which a rolling term lease can be designated and clarifying the process of extension of a rolling term lease.

As we heard from the member for Condamine, this relates to security of tenure for primary producers right across Queensland. We need to have security of tenure. It is essential for us to have security of tenure when we go to our banks. When we talk to our bank managers about overdrafts, extending our loans or maybe buying another property to expand the agricultural operation, they want to know about our security of tenure. That is the catalyst for being able to borrow money, to make that purchase, to expand one's operation, to buy more cattle, to fatten up cattle to take them to market—to take them to the meatworks or to the saleyards—and to continue to operate a profitable agricultural business.

As I said last night in this House, agriculture is the unsung hero of Queensland's economy. We have had the mining boom. That has been great. Mining plays a critically important part in our economy. Agriculture has been here for a very long time and will continue to be here for a very long time. It is the

food on our tables and the fibre on our backs. It is important that it is secure. We need to ensure that we have profitable businesses so that we can continue not only to feed ourselves or clothe ourselves but also to export our valuable agricultural products overseas which means so much to the Queensland state coffers and what we need to do in Queensland. Security of tenure is important.

The amendments to the bill also include replacing the current settlement notice provisions in the Land Title Act with a system of priority notices, consistent with that adopted by other jurisdictions across the nation; repealing existing mandatory standard term documents and providing for their replacement via regulation; dispensing with the requirement for the production of a paper certificate of title if the Registrar of Titles is satisfied that the certificate is held by a legal practitioner; amending the provisions governing the vacation of office by trustees to ensure that the state's interests are preserved; and removing the requirement for ministerial approval under the Land Act for subdivisions of Indigenous land held under a DOGIT, allowing the subdivision to occur purely under the Aboriginal Land Act 1991 or the Torres Strait Islander Land Act 1991.

I am a proud member of the agriculture committee. What my fellow committee members and I have seen time and time again is that important stakeholders—people who should have been included—have little consultation when it comes to bills. Was I surprised? No. Was the member for Condamine surprised? No. Was the member for Warrego surprised? No. We have to consult with the agricultural industry. I will say that again. It is important to consult with agricultural industries on these important pieces of legislation, especially when we are talking about things like rolling term leases.

Let us start with AgForce, our peak broadacre group. It is well known. It is a fierce advocate for agriculture in this state. Its president is Grant Maudsley and its CEO is Charles Burke. It is only down the road from the departmental offices in Mary Street. I am sure the member for Hinchinbrook will correct me if I am wrong, but I think it would not be any more than 500 metres to the AgForce offices. They could pop in there and say, 'We have some changes we would like to discuss with you. Before we put them through or draft them, we would like to see if there is anything that may be of concern to you. You might be able to guide us to make sure we get it right.'

Let's face it: AgForce are well known in government circles. I think it is nearly 14 years since the Cattlemen's Union, the Graingrowers Association and the United Graziers' Association—that proud organisation which has been well represented in the back end of my electorate of Gregory and, of course, the member for Mermaid Beach, a young Richmond boy, would remember the United Graziers' Association.

Mr Stevens: The Cattlemen's Union too.

Mr MILLAR: And the Cattlemen's Union, absolutely. Those three organisations came together as AgForce. That organisation has been around for 14 years. Do you think AgForce should be consulted? I think so. Do you think the department should have headed down to AgForce—

Ms Leahy: Even a phone call.

Mr MILLAR:—or even made a phone call to AgForce?

Mr Stevens: They could have got one of Mark's emails.

Mr MILLAR: They could have sent an email to say, 'Heads up: we have some changes. We would certainly like to talk to you about what we are going to do.' No, it did not happen. Were the Queensland Farmers' Federation—another good organisation which represents intensive agriculture, from canegrowers to the horticultural industry to the cotton industry—consulted? Not really, no—'We did not consult them.'

As members would have read in the committee report—I am sure all members read the committee report when it was tabled—the opposition members of the committee put on the record our concerns about the very poor consultation by the government in relation to the Land and Other Legislation Amendment Bill 2016. Had the department's consultation on this bill been conducted properly, the problems that the committee identified with the bill and flagged for amendment in its report could have been resolved before the bill was even introduced by the minister. It is important that we continue to consult with these key stakeholders. Instead, the committee had to seek extra briefings from the department after eleventh hour meetings between departmental officers and stakeholders to work out amendments to fix the bill's significant shortcomings.

AgForce, the peak body representing the state's agricultural interests, noted in their submission—it is noted in the committee report—that they only became aware of the bill through the committee's alert once the bill had been introduced and referred for consideration. Bing—up comes an email saying there is a bill for consideration. AgForce go, 'We didn't know that was going on. You would think they would have given us a call.' It certainly beggars belief that the department would not think it necessary to consult with peak industry bodies like AgForce or the Queensland Farmers' Federation.

AgForce informed the committee that the consultation on these clauses of the bill was less informative of its effect and intended purpose than it might have desired. This breakdown in the consultation process may have caused a misconception that the proposed amendment to clauses 11 and 12 will limit the number of times a lease may be extended. This is an important issue. As the member for Condamine said in his speech, the ability for graziers to be able to renew their lease is absolutely essential when it comes to refinancing, when it comes to heading to your accountant, picking him up and taking him along to the bank manager and saying, 'I need to refinance. We have had a change in the family situation. Grandad has decided to retire and we need to take him out of the family operation, the family trust. We have leasehold land. We have a rolling term lease. We need to go to the bank to refinance to make sure that process is as simple and easy as possible.'

Mr Weir: That's the first question the bank would ask.

Mr MILLAR: I take that interjection from the member for Condamine. It is the first question the bank manager asks: 'How long is your rolling term lease? How much security do you have?' This is at the core of a very important property right that people who have rolling term leases need. It is a property right that needs to be protected. It needs to be protected because it is essential for them to continue on. It is hard enough sometimes in droughts and with low commodity prices to continue the operation. The last thing you want to be worrying about is: 'Do I have security of tenure going forward? Am I able to move the operation forward?' It is important that that operation has security of tenure.

Having heard about the bill from the committee, AgForce subsequently made contact with the Department of Natural Resources and Mines to seek some information. AgForce had to call the department. They had to ring them up and say, 'I hear you have a bill that has been introduced by the minister. Do you think we might want to have a bit of a talk about it? Do you think we might need to have some consideration? Would the minister like us to come up and have a bit of a chat or even someone from the department? Can we come up and have a chat to them?'

It is important to AgForce. It is important to the people they represent which is the broadacre lobby group and broadacre agricultural production which is the cattle industry. I note that the member for Gympie is in the House. He knows all about this. He knows all about rolling term leases and the issue of leases. It can be a heartbreaking, nervous and sometimes frustrating time when you are talking about these things. The last thing we need to do is put confusion out there in regard to this.

AgForce rang up the department and said, 'Let's have a talk.' Having heard about the bill from the committee, they rang the Department of Natural Resources and Mines to seek information about the justification of the bill and, in particular, clause 12, which relates to rolling term leases. Rolling term leases are vitally important to the state's pastoralists, as I have said, and any changes affecting the extensions and eligibility can have implications for their operations and their viability. As AgForce explained in their submission, they were not consulted on the bill. Lauren Hewitt, who is the head of AgForce policy, appeared before the committee so that we could hear what she had to say. I asked Lauren—

... I want to go back to your concerns about clause 11. When you approached the department, did they come back with anything? Did they come back with an explanation of any kind? You said they did not give you a satisfactory one, but did they come back with an explanation?

She replied—

Yes, they certainly did. They came back with an explanation about how the mechanics of it would work in a number of ways. It was a little further explanation on how the mechanics of it would operate, but to me what was missing in there was a rationale about why the change was required.

I asked Lauren—

When you asked them to explain the rationale, what was their response?

She replied—

Nothing that gave me any satisfaction to know that that was a valid change in the framework.

Not only were they not consulted; when they decided to ring up the department and say, 'We might need to come and have a talk to you to find out if this is important to us—and we think it is important to us. We will come up and see you,' the department did not give Lauren Hewitt or AgForce any satisfaction of knowing that it was a valid change in the framework. If we are changing the framework or changing something, shouldn't we give a valid reason why we need to change it?

Ms Leahy: What are the drivers of change?

Mr MILLAR: Why are we doing it? I take that interjection from the member for Warrego. What are the drivers of change? Why do we need to change this? Wouldn't it have been handy to have a talk to AgForce before this bill was introduced into the House? As I said before, AgForce got an email alert

once the bill had been read a first time by the minister in the House and referred for consideration. AgForce would have gone, 'There is a bill before the House that we know nothing about. We did not know it was coming. What is happening here?'

It is important that consultation with these people continues and continues on a regular basis, whether it is with AgForce or the Queensland Farmers' Federation. They represent an industry which is so vitally important for the agricultural industry. It is so vitally important for our economy. We need to bring them with us when we are talking about security of tenure. We need to bring them with us when we are talking about a property right issue such as rolling term leases. We need to be able to give them satisfactory reasons why we are changing something such as rolling term leases. They also need to know the rationale. They need to be included in the negotiations around why this is happening, because they know best when it comes to how this will affect their membership and how this will affect the broadacre agricultural community right across the state which is so important to our economy. It is so important to make sure that they have security of tenure when they go and see their bank manager to say, 'I have made a change. We need to refinance.'

As the member for Condamine said in his speech, the first thing they ask you is, 'How long is your rolling term lease?' It is so important to have security around that. In talking to producers across Queensland, they want to have an understanding of why laws are changed in this parliament. They want to feel comfortable and confident when laws are changed that they are included in this process. It is important to them. This is their livelihood. It is so important to them that they have to go and refinance. It is a very important decision they have to make.

I call on the minister to make sure that AgForce is always included when we are talking about these issues. I also remind the department that it must consult with AgForce on a regular basis. I think that is incredibly important. We need to make sure that AgForce, QFF or whoever have access to the department and the minister—

Ms Leahy: At an early stage.

Mr MILLAR: Absolutely, at an early stage.

Debate, on motion of Mr Millar, adjourned.