




Speech By
Steve Minnikin

MEMBER FOR CHATSWORTH

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LAND AND OTHER LEGISLATION AMENDMENT BILL

 **Mr MINNIKIN** (Chatsworth—LNP) (3.37 pm): I, too, place on record my sincere condolences to the families and friends and all those affected by the tragic events overnight in London. It is too tragic for words. It just highlights the importance and frailty of democracy. We must join all other parliamentarians in the Western world to uphold its traditions.

I rise to make a brief contribution to the debate of the Land and Other Legislation Amendment Bill 2016 from two angles. Firstly, I studied property economics extensively literally next door and so have a keen interest in this particular topic. Secondly, I am now the shadow minister for, among other things, Aboriginal and Torres Strait Islander partnerships. I will specifically talk about DOGITs.

I acknowledge that the policy objective of the bill is to improve the overall administration of the Land Act and the Land Title Act. It will do so by implementing a number of miscellaneous amendments, which have been outlined by previous speakers. The bill makes a number of minor amendments to the Land Act and the Land Title Act to, importantly, reduce duplication, clarify existing arrangements, streamline administration, remedy where practicable any inconsistencies, remove redundant regulatory requirements and reduce red tape.

The bill will effectively deal with documents that impede or delay legitimate legal action taken by the parties, for example registered mortgagees. It will also go a long way to improving the registration of interests of trustees for sale and beneficiaries of deceased estates and the withdrawal of certain instruments from the register.

The bill will seek to implement in this state a nationally consistent priority notice in place of the current settlement notice. Furthermore, it will encourage the uptake of electronic conveyancing, or e-conveyancing as it is probably better known, by expanding the circumstances in which the Registrar of Titles may dispense with the production of a paper certificate of title.

There are a range of other amendments as well to the Land Act, but the one that I would like to predominantly make my contribution on is in relation to streamlining the subdivision of Indigenous deeds of grant in trust—DOGITs—and I will come back to that later in my contribution. There are a couple of other important points and amendments that I want to highlight in relation to the Land Act. Coming from a valuation background, I know that this is something of keen interest to practitioners in this particular area—that is, the granting of land by the state to the Commonwealth, clarifying the use of covenants over non-freehold land and simplifying the transfer of a road licence tied with freehold land. It also relates to reserves within non-tidal watercourses, but I believe the shadow minister made a very good contribution to the debate in this chamber yesterday.

In relation to clarifying the provisions of a very important term—that is, the provisions around rolling term leases—I note that the bill amends the Land Act to clarify the rolling term lease provisions provided by the former LNP government under our rural land reform initiative in 2014. These reforms were warmly welcomed, as other speakers have said, by particularly rural landholders. In fact, these amendments clarify what a rolling term lease is, when it can be renewed and the term for which a

renewal may be sought by the landowner. These amendments immediately attracted our attention as a potential attempt to undermine our reforms from 2014. I noted with interest that LNP committee members pursued this matter through the parliamentary committee process. In fact, we are aware that AgForce also raised concerns about these amendments publicly and in its submission to the parliamentary committee.

I am also aware that throughout the process it has been clarified that the department had failed to consult properly with key stakeholders. That point has been raised by previous contributors from this side of the chamber in this debate, so it is rather galling when we hear the mantra from those on the other side of the chamber is about two things generally. The first is jobs, jobs and jobs. That is a story within itself, but it is outside the long title of the bill and I will not make any further comment on that in this contribution today. The other one, of course, is that old chestnut of transparency and openness. We have heard the example of the 18-minute notification, and we all know what that was about in relation to significant changes to the voting structure in terms of compulsory preferential voting. We also know that, when it comes to consultation, AgForce was left in the dark. As this pertained to rolling term leases, this was of absolute importance to it.

I now turn to something that is very dear to my heart that I thought was landmark legislation in the previous Newman government, and I have said that in the past and will continue to say it: the shadow minister and member for Hinchinbrook singularly did something that was fundamentally of huge significance to the future of this state as it pertains to the Indigenous—

Mr Power interjected.

Mr MINNIKIN: I am not going to bother taking the interjection. I love debating and I am quite happy to take interjections if they come from a quality source. On this occasion, though, I am afraid it is sadly, sadly lacking. I refer to the deed of grant in trust provision. For the benefit of some of the luminaries on my immediate left who may not know, deeds of grant in trust are DOGITs. Deeds of grant in trust is the name of a system of community level land trust that was established in Queensland in the eighties to administer former reserves and missions. They came about through the enactment of the Queensland government's Community Services (Torres Strait) Act and the Community Services (Aborigines) Act 1984 essentially allowing community councils to be created and to own and administer former reserves or missions under deeds of grant in trust, hence the term DOGIT.

The trusts are governed by local representatives who are elected every three years to councils called incorporated Aboriginal councils. They work much like a local government but are different in character as they own the land they administer on behalf of the community. It is absolutely fundamentally important that the current government work towards using this particular area of government policy. I want to quote from the *Hansard*, and it is pretty fresh off the press. It was literally the contribution from the minister, the member for Stafford, when he made a ministerial statement on Torres Strait Indigenous land tenure on 22 March—yesterday. The minister stated—

Over the past two years, seven Indigenous communities have been working with government agencies on the freeholding legislative framework. I would like to thank the communities of Cherbourg, Napranum, Mapoon, Hope Vale, Poruma, Hammond Island and St Pauls for participating in this exercise. My Department of Natural Resources and Mines is now considering the lessons learned over the past two years. This will assist in their work going forward to support those communities who may choose to investigate or indeed pursue making freehold title available. It is their choice ...

I absolutely support those words. In fact, it is their choice.

The amendments in this bill will remove the need for ministerial approval under the Land Act to approve plans to subdivide Indigenous—DOGIT—land and enable such subdivisions to be regulated solely by the Aboriginal Land Act or the Torres Strait Islander Land Act. The lack of progress made in relation to the former freeholding initiative is something that we need to keep a close eye on. As the shadow minister on this side of the chamber I make a vow right here and now that I will work with anyone who is looking to pursue this area of public policy in the right spirit on that side of the chamber. In fact, I am aware that the mayor of Palm Island has recently called on the government to deliver freehold land on Palm Island and I look forward to meeting the mayor in the coming weeks with the member for Hinchinbrook and pursuing that particular offer. If there is anything we can do to make sure freehold title to Indigenous communities is expanded—there was great work done by the current shadow minister, the current member for Hinchinbrook—and if there is anything I can do to support the quest to continue this vital area of public policy in my role as the shadow minister, I would be pleased to do so.