




Speech By
Ann Leahy

MEMBER FOR WARREGO

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LAND, EXPLOSIVES AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LEAHY** (Warrego—LNP) (5.04 pm): There may well be a devil god at Capalaba and I think, when it comes to explosives, there is probably one on the Angellala Rail Bridge. I rise to contribute to the debate on the Land, Explosives and Other Legislation Amendment Bill. When this bill first came before the Infrastructure, Planning and Natural Resources Committee, it was a fairly small omnibus bill. Now it has grown into a very large omnibus bill. I think one of the members referred to it earlier as a bit of a dog's breakfast.

The Infrastructure, Planning and Natural Resources Committee was unable to complete its inquiry into this legislation due to the election and the dissolution of parliament. The latest committee report states that both bills cover substantially the same issues, but I think that is a little debatable. I think the government is being a little sneaky in trying to say that both bills cover the same issues. There is a considerable expansion of the topics covered in this second bill.

Although the explanatory notes advise that consultation took place in relation to the amendments, some submitters expressed concern that they were not sufficiently consulted. The Chuulangun Aboriginal Corporation submitted that they were not sufficiently consulted and that the consultation that did take place focused on organisations such as the Cape York Land Council. The Aboriginal corporation said that the current call for submissions again allowed only 12 days, which was really inadequate. Further, they said that the invitation to make submissions was not widely communicated and that they only heard about the bill by word of mouth. We know that a number of other Indigenous organisations in Cape York are in a similar situation. There is a noticeable lack of consultation and transparency that ignores the Legislative Standards Act 1992.

I was also a member of the families and communities committee and it seems that this Labor government has a very poor track record. It continues to make changes to legislation that directly impact on Indigenous people living in North Queensland, but again and again we see that the government cannot be bothered going and talking to them directly about what it is proposing. That is a very disappointing precedent that we see continuously from this government.

I turn to the specifics of the bill, one of which is about improving security, safety and transportation requirements under the Explosives Act 1999. In my electorate we have had a bit of experience with explosives and, in particular, the transport of explosives. We had the most powerful explosion in Australian transport history.

On the night of 5 September 2014, a road train transporting 52 tonnes of ammonium nitrate crashed next to the Angellala Creek Bridge. That incident destroyed the road bridge and the adjacent rail bridge. The rail bridge is insured by the state government. Over the past four years, I have asked three questions on notice of the Palaszczuk Labor government about this. I have asked this lazy Labor government to complete the insurance claim on the bridge and return those funds to the region. This is about a substantial amount of funds. There would be millions of dollars involved. That money should be returned to the south-west region, but this lazy Labor government has done absolutely nothing. It could not even chase up an insurance claim. The incident happened four years ago.

It is really insulting to hear the Labor government rabbit on about transportation requirements under the Explosives Act, when it cannot even do an insurance claim. It is absolutely disgraceful. A heritage listed rail bridge was destroyed, but absolutely nothing has happened with the insurance claim. Yes, the road bridge has been rebuilt. A lot of work was done by the LNP in government at that time to make sure that that happened. However, there has been absolutely nothing done when it comes to fixing the rail bridge and nothing done in relation to dealing with the insurance claim. There are three questions on notice about this. I have followed through this matter with the previous Palaszczuk government and this Palaszczuk government. They have done absolutely nothing.

Other parts of the bill deal with providing for contemporary compliance powers in the Land Act 1994. The bill amends the Land Act 1994 to provide compliance powers to stop inappropriate behaviour on state land where the department has direct land management responsibilities. This includes powers of entry for authorised officers in providing greater compliance powers in circumstances in which an authorised officer may enter a place pursuant to the Land Act or the Vegetation Management Act.

That this Labor government wants more powers of compliance under the Vegetation Management Act beggars belief. Authorised officers already have more power than police officers under the Vegetation Management Act. Not only that, they also have the eye in the sky. They have a satellite that passes over every 16 days tracking anyone who clears vegetation. It is very disappointing that they want more compliance powers for those authorised officers. Why do they need that amount of power? It is ridiculous. They do not give that power to police officers, but they are very happy to go out and chase farmers when it comes to vegetation management. It is absolutely disgraceful.

The bill also deals with enabling the state to deal with buildings and other structures on state land that pose a risk to public safety or are otherwise inappropriate or unwanted. These amendments also enable the state to recover the removal and remediation costs if necessary.

AgForce has raised some very serious concerns regarding the applicability of repair, removal and remediation of building and structure requirements on rural leases. It probably comes as a bit of a surprise to many members of this House that approximately 70 per cent of the state is leasehold land. A lot of that leasehold land is in my electorate.

It might not sound like a big issue, but this lazy government will frustrate and prevent the freeholding of leasehold land by insisting on taking large tracts of land for stock routes that have not been used for 40 years. Make no mistake, this provision will be used to frustrate and prevent rural leaseholders from freeholding. It will be used to increase the costs on those people who wish to freehold their land. The Labor government has an absolute distaste for anyone who wants to have freehold land.

AgForce said from its reading of bill that, whilst new section 156 processes will only take effect upon lease expiration, cancellation or forfeiture, the amended section 199B conditions are effectively retrospective and will apply during the term of any lease and failure to comply with the remedial notice can result in lease forfeiture. That means that 70 per cent of the state could be in a situation whereby retrospectively they could be deemed to be failing to comply because they have a couple of old fences that have been there for a hundred years.

We know with the satellite that they can see the clearing of vegetation. Are they now going to use the satellite to find old fences and things that they might want to see cleared or removed before a lease is deemed able to be freeholded?

Mr Costigan: Big Brother.

Ms LEAHY: Absolutely. I take that interjection. This is absolutely Big Brother stuff.

While these provisions could arguably be for sensible public safety and the protection of the state's assets, there really is a need for further investigation and an in-depth understanding of how rural leases will be impacted. Despite the assurances from the Department of Natural Resources, Mines and Energy, we would like an assurance from the minister in this parliament.

Given the renewed legislative interest by the government in the safety or remediation costs of leasehold structures and structures on leasehold land, it seems to be a very regressive step. After AgForce's reading of the amendment to section 199B, it is very disappointing that the minister has now put a retrospective condition on leases to carry out repairs on buildings or structures. Lease forfeiture is potentially a huge penalty for noncompliance with the remedial action notice. AgForce stated that a family home could be lost and it seems a very excessive penalty for a rural lease condition.

The minister should categorically rule out his department using these provisions on rural lands and using these provisions to frustrate people and increase costs in relation to freeholding applications. We should not underestimate the number of people out there who are freeholding their land. We should not be retrospectively putting additional compliance measures upon them. I think that is a very sad part of this legislation.