




Speech By
James Lister

MEMBER FOR SOUTHERN DOWNS

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NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL

 **Mr LISTER** (Southern Downs—LNP) (5.05 pm): I too rise to make a contribution on the Natural Resources and Other Legislation Amendment Bill. As many speakers who have come before me have observed, the ‘other legislation’ is by far the dominant feature of this particular bill. In my relatively short time in this place—18 months or so—I have not seen such a big omnibus bill. I echo the frustrations expressed by the shadow minister, the member for Burdekin, who talked about the difficulties that we experience in digesting the legislation and making meaningful contributions. I think that also extends to the public and the interest groups that want to influence the legislation that we pass. There simply has not been enough time. There were only 15 days between the tabling of the bill and the closing of submissions, which is not enough time. Stakeholders expressed that view in their submissions and during their appearances before the committee.

The LNP will be opposing three separate aspects of the bill, which I will go into shortly. Despite the scope and complexity of this particular omnibus bill, we note that the committee was unable to make any single substantive recommendation. Perhaps that is why some of the stakeholders raised very legitimate and reasonable concerns. It is another example of a bill being rammed through this place with lip-service paid to consultation, turning this place into a mausoleum.

The LNP will be opposing three particular parts of the bill. Firstly, clauses 36 and 37 refer to the removal of the requirement for the state government to produce an annual foreign landownership report. AgForce does not support these changes. They see this as a weakening of the reporting of foreign ownership of agricultural land in Queensland. By removing this section, Labor is taking away a key source of data and transparency that Queenslanders deserve when it comes to landownership. For years, in the seventies and eighties, Labor cried foul about the absence of a foreign land register. When it was introduced in 1988, there was praise from the Labor Party and strong support for the purpose of the legislation.

I looked back at the second reading debate held on 27 October 1988. Keith De Lacy was the shadow treasurer in the then Labor opposition. He was one of those shadow treasurers who used to balance the books, so he is quite distinct from the Labor Party of today. He said—

I did not think that I would ever see the day when a foreign land-ownership Bill was introduced into this House. For many years the Labor Party has been calling for such legislation ...

...

A foreign land-ownership register is needed in Queensland. For at least the last 10 years it has been part of the Labor Party’s policy. Virtually all sections of the Queensland community, including that section of the community which the National Party would call its own, that is, the grazing fraternity, have called for it. The grazing fraternity has been very concerned about the sell-off of our national estate to foreign people.

I would contrast that with the hand-wringing we heard before from the member for Bancroft where he decried the scaremongering by people about foreign ownership. I was quoting from a Labor luminary. I think that debunks what he had to say. We definitely oppose the abolition of the foreign ownership of land register. To say that the function is replicated by the federal arrangements is simply not true. The current Queensland register provides far more detail.

Dr Lynham: Tell Barnaby to pull his socks up. What's he been doing for six years about this?

Mr LISTER: I take the interjection from the minister. The point is that stakeholders like AgForce say that we ought to keep it. Considering Labor's record of saying that this is an important aspect of the legislative landscape in Queensland I think we ought to.

The second aspect of the bill we will be opposing is allowing state access to private land without consent. This is at clause 45. The changes to the Land Act 1994 allow an authorised person without consent or warrant to enter freehold land if they need to access adjacent land. Obviously AgForce objected to this as well. A continuing theme in the bills debated during my time in this House is the persistent attack on the rights of landholders. We have lost count of the number that have come through where this particular provision has been enabled. This effectively gives public servants superior rights of entry to police. That does not make sense. This is an attack on the rights of property owners.

Government members interjected.

Mr LISTER: I say to those opposite who are interjecting that perhaps they might like to come out and speak to some of the landowners in my neck of the woods. Perhaps the minister would like to come out to Goondiwindi. I could shout him lunch at the Toobeah Hotel and introduce him to some of the people affected by this bill.

An opposition member interjected.

Mr LISTER: I take that interjection. This does not accord with the wishes of the people who are going to be affected.

This bill is evidence of the further socialisation and diminution of property rights with no compensation back to landholders. The bill breaches fundamental legislative principles by providing the government with powers to authorise access with insufficient regard to the rights and liberties of landholders.

The third aspect of the bill that we have particular concern about and will be opposing is extending ministerial decision-making powers, which is at clause 260. Clause 260 inserts new section 141A. This section allows the minister to impose, vary or remove a condition of an exploration permit at any time without application or seeking the views from the permit holder if an exceptional event has occurred. Exceptional events are natural disasters or financial crises which negatively affect the resource industry.

The minister may change a work program condition to suspend or defer all exploration activities for a period due to a weather event. The new ministerial power it grants the minister to terminate and change exploration licences is open to exploitation. The reason I say that is that this government—I do not point my observations at the minister because he is a good guy and I think he has the best interests of Queenslanders at heart, but he is part of the government—has a sustained history of antagonism and obstruction when it comes to the exploitation of mineral resources in this state, notably coal.

We have seen the cartoonistically ludicrous attempts to waylay the opening up of the Galilee Basin. It is a joke around the state. They manage to come in here every day and try to sell it to us. I am concerned that that kind of approach to the bush and to the resources industry in our state means that we cannot entrust the minister and the executive with the power to make decisions like that. It is too broad. It smacks of other legislation we have seen such as the special wildlife reserves legislation and so forth. We oppose it.

I turn now to water compliance and enforcement. In his second reading speech today the minister talked about the importance of fairness and the use of shared water meters and so forth being monitored. I think that is a good thing and a good part of this bill. I would say to the minister that the department does not have a good track record of undertaking enforcement. He would be aware that constituents of mine have complained about quite egregious cases of water theft where there is a clear prima facie case to have an investigation undertaken but the department has shown a marked reluctance to get involved in that aspect of enforcement. I would say to the government, 'Please use this for good. It is a good aspect of this bill, but please grow some teeth and actually go after those who are thieving water because it undermines confidence in the system.'

We have heard a number of people talk about water authority boards. About the only members who would really understand the working of these boards are those from electorates that have class 2 water authorities—electorates like Scenic Rim, Gregory, Warrego and Southern Downs. The Kaywanna Bore Water Board, the Callandoon Water Supply Board and the Yambocully Water Board are statutory authorities but they operate on a small scale.

The positions of director are unpaid. They are lucky to ever get enough people to come onto the board. The notion that we could impose criteria to make sure the right people are selected shows that this is designed in a vacuum because they struggle to get anybody at all—man or woman. It is impossible to get enough people on these boards because they are unpaid. They involve physical work at two o'clock in the morning—replacing pipes, switching valves and that sort of thing. It really smacks of political correctness not understanding the needs of the bush. Other than that we support the bill.