




Speech By
Ann Leahy

MEMBER FOR WARREGO

Record of Proceedings, 20 February 2020

NATURAL RESOURCES AND OTHER LEGISLATION (GDA2020) AMENDMENT BILL

 **Ms LEAHY** (Warrego—LNP) (5.46 pm): I rise to contribute to the debate on the Natural Resources and Other Legislation (GDA2020) Amendment Bill 2019. I thank the members of the State Development, Natural Resources and Agricultural Industry Development Committee because I know they are a particularly busy committee. We now have another omnibus bill in the natural resources portfolio. We have seen quite a few of those in this portfolio during this parliament.

One policy objective of the bill is to implement a new national standard of measurement of position—a Geocentric Datum of Australia 2020—for the future collection and provision of location data. It is hoped that this will ensure that Queensland legislation is responsive to the national measurement standards as they evolve or as new ones are adopted. We have come a very long way from when surveyors used linens to record boundaries and points on the earth. We have certainly changed in our technology.

I do not intend to speak on all of the provisions that this legislation amends; however, I have some matters I wish to raise in relation to the processes for renewing term leases and also for the ILUAs. There are provisions of the bill that enable the Queensland government to give effect to the commitments given as part of an Indigenous Land Use Agreement, or ILUA, to grant unallocated state land as freehold without competition to traditional owners of land.

I now move to the Australian government, which has adopted the GDA2020 as a standard for measurement of position by making a determination under the Australian government's National Measurement Act 1960 and National Measurement Act 1917. It has been agreed that all Australian jurisdictions would adopt the GDA2020 by 30 June 2020. The legislative amendments are required in Queensland to support the GDA2020. In Australia, coordinates for features on our maps—for instance, roads and buildings—most commonly used the Geocentric Datum of Australia 1994. The GDA94 is static, meaning that the coordinates for features are fixed in relation to Australia's continental plate and do not change over time. In contrast, the global satellite positioning system coordinates for features on the earth's surface will change over time and take into account the movement of the tectonic plates. That means that the WAC chart in my office is somewhat out and that the GPS is actually a little bit more accurate when it comes to pinpointing some of those positions some of us use on a regular basis.

By 2020, Australia will have moved about 1.8 metres in a north-easterly direction since the adoption of the GDA94—and it is good to hear that Australia is moving to the right! I note the member for Burdekin's earlier comments. With the increased use of devices that provide precise satellite positioning, for instance smartphones—and we might be looking at things like drones as well—people will notice discrepancies between the satellite position and the GDA94 map features. I do not think it will stop anyone from getting lost but it will give some of the app developers fewer challenges, especially those looking for very precise calculations. For instance, the operation of drones might be in a built-up residential area. They do need a very precise latitude and longitude on which to operate. With the adoption of the GDA2020, there will be better alignment between Australia's national datum and the satellite positioning measurements.

While position information has always been important for the mapping and surveying community, it is also important as technology advances in our society. We do have people who farm using GPS. We will eventually have automated vehicles. There is a lot of remote-controlled industrial equipment in the agriculture and mining sectors. Obviously drone technology, particularly in the agricultural sector, is expanding at a fairly rapid rate.

The bill also amends the Land Act with respect to the renewal of term leases. Under the current provisions in the Land Act, the renewal of a term lease is contingent on the lessee lodging an application. The bill will amend the Land Act to enable the chief executive to make an offer of a new lease prior to the lessee lodging the application. The general provisions which the chief executive must consider before deciding whether or not to offer the new lease remain the same, and that is pleasing to see. On the odd occasion, a lessee may not receive that paperwork. Sometimes there might be an address change, the mail might go missing and emails can be missed or end up in junk email. Will these offers be sent by registered post? If the department becomes aware that the lessee has not received their offer, what actions will the department take to ensure that it makes contact with the lessee to alert them to the need for that renewal?

I will now move to the grant of freehold land under Indigenous land use agreements. The Queensland government regularly enters into Indigenous land use agreements under the Native Title Act 1993 where the grant of land to First Nation people is a key component of the agreement. This can readily be achieved where native title has not been extinguished as the native title holders meet the priority criteria for granting land without competition under the Land Act. This is not the case where native title had been extinguished—for instance, on freehold land—and can prevent the terms of an Indigenous land use agreement from being met.

Currently, the priority criteria for granting land without competition under the Land Act can be met if the First Nation people lodge a native title claim over the particular lot of land to have the previous extinguishment disregarded, which would revive their native title. This is effectively the reversal of freehold which has been granted and extinguishes native title. I do find these changes that the government is pursuing somewhat concerning. Freehold title is granted for a reason. It is the most secure form of land title in this state. Is the government saying that these amendments will reverse fee simple for the purposes of granting land without competition? The bill provides for the grant of freehold land without competition to the people who would have otherwise held native title but for the historical extinguishment of their native title.

I am concerned with what is in the explanatory notes, which state that this is a resource intensive and lengthy process. Those processes are in place for a reason—to protect the grant of freehold title and the extinguishment of other claims over that title. The processes are there for a purpose. Fee simple is not there to be interfered with at the whim of governments. Security of tenure, as the minister well knows, is the cornerstone of Queensland's tenure system and freehold is the most secure tenure title in that system. I would appreciate an assurance to the House in the minister's summing-up that these changes will never be used for the purposes of a freehold land grab in the future.

The explanatory notes state that the amendment does not affect any existing processes or rights of people to apply for land through the existing competitive or non-competitive processes, depending on their circumstances, but they did not say anything about the value. What about the value of the freehold land? How is that affected? The Labor government needs to provide an assurance to all freehold landowners that these changes will not devalue their freehold title if there is currently an ILUA underway or a future ILUA over their freehold land.

I am concerned about the explanations that we have seen from this government about the resources and the lengthy processes and the justification it has used to change freehold tenure processes for selective purposes. I do find that concerning. We need to look much more closely and I look forward to the minister's assurances in relation to what I have raised. I would like to hear the minister's assurances, as I know many other freehold landowners in my electorate and across Queensland would like to hear those assurances, because we need to make sure that it is very clear. As we know, many people have exercised their rights to upgrade to freehold tenure. I do not want to see a situation whereby that freehold tenure is diminished in its value through whatever changes may come through in this legislation.