



Speech By
Patrick Weir

MEMBER FOR CONDAMINE

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NATURAL RESOURCES AND OTHER LEGISLATION (GDA2020) AMENDMENT BILL

 **Mr WEIR** (Condamine—LNP) (5.20 pm): I rise to speak to the Natural Resources and Other Legislation (GDA2020) Amendment Bill 2019 as a member of the State Development, Natural Resources and Agricultural Industry Development Committee. The bill was introduced into the Legislative Assembly and referred to the committee on 23 October 2019. The committee was required to report to the Legislative Assembly by 6 December 2019. This is not a contentious bill, as was evidenced by the fact that the committee only received three submissions. The committee received a written briefing on the bill prior to a public briefing from DNRME and the Department of Aboriginal and Torres Strait Islander Partnerships on 6 November 2019.

The purpose of the bill is to align Queensland with the upgrade of Australia's static plate fixed datum, the Geocentric Datum Australia 1994, to the Geocentric Datum Australia 2020. The explanatory notes state that the bill proposes to: implement the new national standard of measurement of position, Geocentric Datum Australia 2020, for the future collection and provision of location data; clarify the historical datum for position references or upgrade position references to GDA2020; and ensure that Queensland legislation is responsive to national measurement standards as they evolve or new ones are adopted.

The committee heard that changes are being made to the system that underlines Australia's location information to bring Australia's national latitude and longitude coordinates into line with global satellite positioning systems. These changes will enable smartphones and other positioning technologies to accurately locate features marked on Australian maps. The explanatory notes state that in Australia coordinates for features on our maps—for example, roads and buildings—most commonly use the Geocentric Datum Australia 1994, or GDA94. GDA94 is 'static' meaning that coordinates for features are fixed in relation to Australia's continental plate and do not change over time.

In contrast, global satellite positioning system coordinates for features on the earth's surface will change over time, as these systems take into account the movement of tectonic plates. By 2020, Australia will have moved about 1.8 metres in a north-easterly direction since the adoption of GDA94. The member for Burdekin noted that it was moving to the right. It is the width of this aisle here, so there may be a lot of movement across this one later in 2020.

With increased use of devices that provide precise satellite positioning—for example, smartphones—people will notice discrepancies between the satellite position and GDA94-mapped features. All Australian jurisdictions have agreed to adopt GDA2020 by 30 June 2020. The bill makes the necessary legislative amendments to support the adoption of GDA2020. This will also mean technical changes to 10 various acts. The department advised that it had been working with major software providers to ensure a smooth transition for users, as many of the practical aspects of the update to GDA2020 would be managed in software. DNRME was further undertaking a program within the department to ensure all data would be available in both datums—GDA94 and GDA2020—for the transition period.

As I stated, this bill is not contentious; however, it is something that will have an impact on almost all of us in some way that we will be totally unaware of. Global satellite positioning now plays a huge role in many industries—whether it be agriculture, fishing, mining or transport. Indeed, it would be easier to name the industries that do not rely on GPS in some form rather than those that do.

The bill further makes amendments to the granting of freehold land within Indigenous land use agreements. Division 2 of the Land Act allows for deeds of grant of unallocated state land without competition in some circumstances according to the following policy criteria. They are: the applicant is an adjoining registered owner or lessee, and selling or leasing to anyone else would be considered inequitable; or no other persons are likely to be interested in obtaining the land; or the applicant held a significant interest in the land before it became unallocated state land; or there is no dedicated access and the only practical access is through the applicant's land. The proposed amendment would allow the state to grant unallocated state land where the state is party to an Indigenous land use agreement where the native title party to the ILUA holds, claims to hold or would have held native title over the land.

There was one section of this bill that did raise some concern for the Queensland Law Society. This section states that the provisions allow for the deed of grant of the land to be granted without competition at a purchase price provided for under the ILUA or as determined by the minister and prescribed by regulation. Whilst the explanatory notes state that 'this additional provision does not affect existing competitive or non-competitive allocation provisions', the committee's report noted as follows—

The Queensland Law Society xxx submitted that it supported the intention of cl 14 of the Bill to 'minimise the delay and cost for Traditional Owner groups in navigating the process towards real tenure outcomes in the native title landscape' but that it was concerned that proposed s 123A(3)(b), regarding the purchase price of the land granted being as provided for under the ILUA or otherwise as decided by the Minister, would impact the right to negotiate.

In response to this concern, the department advised the committee—

The right to negotiate will be maintained through the Indigenous Land Use Agreement process where the parties are expected to document their agreement to the consideration payable for the grant of the freehold. Proposed Section 123A(3)(b) in the Land Act 1994 is provided to ensure that there is a default/fall-back position should the parties not decide to document their agreement to the consideration payable in the Agreement.

The bill also amends the renewal process for term leases. Under the Land Act, a lessee may apply for an offer of a term lease after 80 per cent of the existing term of the lease has expired unless there are special circumstances, and this renewal application for a new term lease is then decided by the chief executive. The bill would amend the Land Act to enable the chief executive to make a decision on the offer of a new term lease before the lessee lodges an application. The amendments would not remove the existing right of the lessee to make an application for an offer of a new lease.

This bill makes other minor amendments which are basically technical in nature. I will leave those for others to speak on. I am sure there is a significant speaking list on this exciting piece of legislation. We will not be opposing this bill.