




Speech By  
**Patrick Weir**

**MEMBER FOR CONDAMINE**

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### PROPERTY LAW BILL

 **Mr WEIR** (Condamine—LNP) (5.08 pm): I rise to speak to the Property Law Bill 2023. As the explanatory notes state, the bill is largely in response to two reports. The bill creates a statutory seller disclosure scheme for the sale of freehold land as recommended in the *Final report: Seller disclosure in Queensland*, the seller disclosure scheme report of 2017. The explanatory notes also state that the bill is drafted broadly in accordance with the recommendations of the *Final report: Property Law Act 1974*. The PLA report was released by the Queensland University of Technology's Commercial and Property Law Research Centre in 2018. The Palaszczuk government has now leapt into action following the release of those reports, one released six years ago and the other released five years ago. The committee report was tabled on 1 April, earlier this year. The 2017 seller disclosure scheme report recommended introducing a seller disclosure scheme for all sales of freehold land. The reform objectives of the scheme include clarifying the disclosure obligations of a seller, requiring a transparent and effective form of disclosure, providing information of value to the decision of a buyer to purchase and balancing the information costs between buyer and seller.

Whilst most submitters were largely supportive of the bill, the LGAQ raised concerns that there was a lack of natural hazard risks mandated in the seller disclosure scheme. The committee report states—

LGAQ provided substantial feedback on natural hazard risk information for lots, stating that the disclosure regulations 'do not go far enough in meeting the recommendations of the Royal Commission into National Natural Disaster Arrangements' to 'introduce mandatory disclosure of natural hazard risks at point of sale and prior to property purchase'.

LGAQ recommended the Bill broaden the seller disclosure scheme to include the mandatory disclosure of natural hazard risks, similar to the approaches of New South Wales and Victoria.

The LGAQ went on to state that this report predated the Royal Commission into National Natural Disaster Arrangements 2020 and there have been several other disasters since that time. That is the aspect of the bill that I want to speak to.

The report recommended that each state has a process or mechanism in place to communicate natural hazard risk information to households, including prospective purchasers in hazard prone areas. This is the part of the bill that is of interest to my seat of Condamine. Whilst the department stated that prospective purchasers could access this information through the local government or a natural hazard outlay, it is the inconsistency of the mapping that frustrates many home owners in Condamine. I have received emails regarding flood mapping in a number of regional towns, but I want to highlight Oakey and Cambooya in particular.

Flood maps can have a significant impact on the value of a property depending on where it lies on the map. I know of owners whose properties have never been subject to flooding, and due to their location never will be, but they have been declared to be within a flood area. They face a protracted battle to attempt to have their properties removed from that high-risk area. All properties declared to be in a high-risk area are faced with very high insurance bills.

Buyers need to be able to have confidence that those maps can be relied upon, hence the need for prospective buyers to be made aware of the flooding potential and we have to include bushfires in that. At this very moment, as we speak, a number of fires are burning across Queensland. I am sure the member for Warrego will discuss that in her contribution because there have been a number of fires in her area. In Southern Downs, a fire is threatening homes as we speak. Fire is another of these hazards. The department outlined some of the challenges regarding high-risk mapping, particularly regarding some of the cost impacts on smaller councils. However, this mapping must be done better.

Purchasing a home is usually the largest investment a family will make. The more disclosure that is available to the new home owner, the better. As my colleagues have stated, we will not be opposing the bill. That is the only part of the bill that is of interest to me. Like the member for Scenic Rim, I do not get excited by property law. I will leave that to others.