




Speech By  
**Stephen Bennett**

**MEMBER FOR BURNETT**

---

Record of Proceedings, 23 February 2023

**LAND AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr BENNETT** (Burnett—LNP) (5.34 pm): It is always good to speak about pieces of legislation that involve subleases, stock routes and, more importantly, issues around vegetation management. I want to address vegetation management issues and some of the issues around subleases later.

The stated outcomes of the amendments to the Land Act 1994 are to introduce an alternative and more efficient pathway to initiate lease conversion, giving the chief executive an opportunity to act proactively in the allocation of state land. I support the committee's recommendation around the proposed changes to the Vegetation Management Act and that any changes should remain with the Vegetation Management Regulation. I do, however, fear that every time there are changes to vegetation management in this House years of change and the tightening of laws have created many and varied perverse outcomes, including confusion and flawed data undermining stated outcomes. There have been a lot of debates in this House around vegetation management and, as I say, I get nervous every time there is a vegetation management discussion in this House.

In their submission AgForce raised concerns with clause 94 and rightly pointed out that any change to the regulation must follow the *Queensland Government Guide to Better Regulation, May 2019* requiring regulatory impact analysis and public consultation. It highlighted that the Regional Ecosystem Description Database is frequently revised by the Queensland Herbarium. We know that end users such as landlords and vegetation management consultants regularly check for updates, and that is why that data has to be accurate. It has been raised regularly that all landholders and consultants want clear, stable guidelines and regulations for vegetation management and are not continually subjected to frequent changes in ecosystem descriptions from these very varied databases. It is not unusual for an electorate officer to get many people—particularly in a rural electorate—coming in talking about PMAVs and issues around overlays. It continues to occur, but I guess we have a role to play. I think that we could still deal with the recalcitrants out there who are doing the wrong thing by prosecuting them under the law instead of dragging everyone down the same rabbit hole.

In relation to the amendments to the Land Act 1994 and Land Regulation 2020, I am encouraged that we are enabling the chief executive to become more proactive in providing alternative pathways when dealing with leases and trustee permits. Issues of inconsistent use and trustee permits have presented several problems in my electorate, and I will seek amendments to further provide options for the chief executive to make sensible decisions relating to trustee leases. We need to continue with reforms so that issues like I have in my electorate can be resolved for the benefit of the community.

There is an issue with the use of subleases of state owned buildings when conflicts exist and there is what is determined as inconsistent usage. It is an issue right across the state, and I cannot believe that we cannot have a ministerial direction so that the minister can extend subleases when he or the chief executive believes it is the right thing to do. It does not exist right now.

I want to highlight to the House issues that require attention relating to the state owned Agnes Water surf club. Since 1997 Surf Life Saving has leased the building at Agnes Water. It retains the lease until 2037. Issues have existed for a decade with Surf Life Saving needing, and wanting, to only sublease the upstairs of the building to some other tenant while happily using storage and other areas downstairs. Since 1997 the building has been sublet to several different enterprises like restaurants, clubs and more recently a school. Currently, the Goora Gan school has 70 students. They have received an eviction notice—they have another year before they get kicked out—because the law currently states that you cannot have a sublease for a building that is inconsistent with the intended purpose, that is, sport and rec being a surf club. As ridiculous as that sounds, it is not the south-east corner or anywhere on the Sunshine Coast: it is Agnes Water. I would have thought any use of a government owned asset, particularly a school, would be a real issue that the department could have taken up for us.

When we talk about this anomaly in the Land Act, the amendments required are outside the long title of this bill; hence, there are no amendments being moved here today. However, I do want it on the record that I will continue to work with the department and the minister about pushing for the chief executive to have the capacity to approve the extension of a sublease. I cannot believe it would not be as simple as something like that.

A number of different enterprises are looking to occupy this building, including a medical service and a local neighbourhood centre, and, as I said, the school wants to extend its life so those 70 to 100 students do not have to look for an alternative venue. I do struggle with the overly bureaucratic situation where the minister cannot determine what is the best use of state owned buildings. I suggest, as I said before, that there are many other buildings that could benefit from sensible changes allowing us to do what we need to do. With no new ventures or opportunities regarding subleases, the surf lifesaving club will not be able to find a new tenant consistent with the stated use of this building and the space will remain vacant for another 10 years.

It is worthy of reflection. I call on the House to consider a future bill that will be able to look at subleases being extended by the chief executive officer. I hope somewhere down the track somewhere like Agnes Water can have all the services they expect and deserve and not keep getting caught up in bureaucratic nonsense which I cannot believe cannot be resolved.